THE PATRIOT-MINISTER:

AN

HISTORICAL PANEGYRIC

ON

MICHEL de L'HOSPITAL,

CHANCELLOR of FRANCE.

TRANSLATED FROM THE FRENCH.

ILL FITS IT SLAVES TO PRAISE DISTINGUISH'D WORTH.

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MVSEVM
BRITAN
NICVM

To the READER.

HAD the following work been in the ordinary ſtyle of panegyrics, the tranſlator, far from thinking it deſerved the attention of the public, would have deemed it unworthy of peruſal, and thrown it aſide with contempt.——But the noble and generous ſentiments of liberty which it breathes, the ſpirited and manly freedom which animates every page, and the honeſt indignation manifeſted by its author, againſt the tools of deſpotiſm, the inſidious artifices of unprincipled miniſters, and the mean adulation of their corrupt flatterers, muſt render it intereſting to every man, who feels in his boſom the leaſt ſpark of that glorious flame, which ſhone ſo bright in the virtuous ages of Greece and Rome, and which

ought to warm the heart of every true lover of his country, of every real friend to the rights of humanity.

We have here preſented to us, in the moſt glowing colours, the nobleſt picture that can be exhibited to mankind:

"A brave man ſtruggling in the ſtorms of fate,
"And greatly falling with a falling ſtate."

A ſpectacle more peculiarly affecting to a Briton, who can juſtly boaſt of enjoying that happineſs, which l'Hoſpital in vain endeavoured to ſecure to his degenerate countrymen. What inſtructive, what ſublime leſſons does it not give to kings, to miniſters, to nations! And how muſt our admiration be heightened by ſurpriſe, at finding ſuch ſentiments flow from the pen of a Frenchman; one educated from his infancy in the principles of blind ſubmiſſion to the caprices of the ſovereign, or the will of the miniſter.

It may well be imagined, that a work of this nature would draw down the thunders of an abſolute monarch. It was

ſuppreſſed

ſuppreſſed by the court on its firſt appearance, and every effort uſed to ſtifle it in its birth; but a gentleman, who has honoured the tranſlator with his friendſhip, ſaved a copy from the general wreck, and found means to convey it to England, the proper climate for ſuch productions; where, if in its Engliſh dreſs, it retains but the leaſt portion of the ſpirit and beauty of its original, it cannot fail to flouriſh.

It muſt be owned, that it is too common for tranſlators to exaggerate the merit of their originals; but the ſuppreſſion of this work in France, and the eager deſire of the court to diſcover its author (though it contains not a ſingle perſonal reflection), abundantly ſpeak its worth.

It may be neceſſary to inform the reader, that the French Academy having propoſed to give a prize for the beſt panegyric on the Chancellor l'Hoſpital, to whom a ſtatue is to be erected in the Louvre, at the expence of the Academy

of

of Sculpture, the noble Author of the Hiſtorical Panegyric, took the opportunity, when the attention of the public was rouſed, of doing juſtice to the memory of that great, virtuous and patriotic miniſter, at the ſame time that he read an important leſſon to his countrymen, and endeavoured to awake the dormant love of liberty, if that generous principle was not entirely extinguiſhed in their breaſts.

How far his maxim may be true, "that "a powerful and enlightened nation, "when they feel themſelves oppreſſed, "will ſooner or later reſume their "rights," time only can determine.—In France, the current has for ſome time ſet ſtrongly in favour of liberty, but perhaps their chains are too firmly riveted ever to be ſhaken off.—Let their example, and the fruitleſs ſighs they now breath forth for the ineſtimable bleſſing they have loſt, perhaps for ever, teach us to guard it with the utmoſt vigilance; reflecting at the ſame time, that unbounded

unbounded licentiouſneſs is equally deſtructive to liberty, with unbounded ſubmiſſion, and that national vice paves the way for national ſlavery.

To ſay any thing of the tranſlation, would be impertinent; its imperfections are owned, and its vaſt inferiority in ſpirit and elegance to the original, is acknowledged; but every poſſible care has been taken to give a faithful and exact verſion of the author, as near as the idioms of the two languages would permit; it is therefore hoped, that, if not for manner, yet for matter, it will meet with a favourable reception from the candid public.

HIS-

HISTORICAL PANEGYRIC

ON

MICHEL de L'HOSPITAL,

CHANCELLOR of FRANCE.

Ill fits it ſlaves to praiſe diſtinguiſh'd worth.

IT ſeems then that the Academy, after trying the ſtrength of her champions on the panegyrics of Sully, Dagueſſeau, and Colbert, has now ventured to bring the Chancellor l'Hoſpital into the field.—But it may be aſked, whether, when ſhe propoſed this ſubject, ſhe properly conſidered all the difficulties with which it is attended? Far be from me that ſacrilegious artifice which degrades ſuperior merit by invidious parallels, extolling in ſome the qualities in which others failed, and thus alternately throwing a ſhade upon their glory. I put not the merit of l'Hoſpital in the balance with that

of Sully, Colbert, or Daguesseau; my sole design is to take a comparative view of the times in which they lived. These were ministers when the minds of the people were calm, and the throne was firmly secured; nor had they any difficulties to encounter but the intrigues and abuses inseparable from courts and extensive empires. Their administration was not disturbed by intestine wars, religious quarrels, nor any of those violent concussions which shake an empire to its foundations, and put to so severe a proof not only the genius and talents, but what is almost universally the weakest part of the human frame, the heart and disposition of the governors. The course of their administration resembled those voyages, which though laborious, are distinguished by no imminent dangers; though the sea on which they sailed had its shoals, at least the sky was clear, and undisturbed by storms.

But how different were the scenes in which l'Hospital was engaged! The reign of Francis the second, that momentary reign, the dawn of those days of blood and horror which put an end to the unfortunate house of Valois; the regency of Catharine de Medicis, a woman whose very name rouses indignation, and who to every female vice joined the ferocity of the most unfeeling

feeling tyrant; to which ſucceeded the weak government of Charles IX. whoſe youth, like that of all princes on whom nature has ſtamped no character, was only a prolongation of infancy, and compleated thoſe misfortunes for which his minority had paved the way. Let us give a ſhort ſketch of thoſe dreadful times.

The kingdom was then torn in pieces by two rival religions, and the people univerſally ſunk in the darkneſs of ignorance and fanaticiſm. If through the gloom appeared ſome ſcattered rays of ſuperior genius, as in the Condés, the Guiſes, and Colignys, thoſe talents ſerved only as fuel to the ambition of their poſſeſſors, and made them the ſcourges inſtead of the ſupports of the ſtate. Even men of the moſt upright intentions, miſled by the prejudices of their ſect or party, were continually ſeduced from their principles. The people, as uſual, were divided in their opinions, without comprehending thoſe of either ſide; their leaders bid them hate each other, and they became foes, bid them cut each others throats, and they obeyed; gall filled every heart, the ſword and poignard armed every hand. The court, deſtitute of authority, without any regular plan of conduct, void of principle, wavering between the two parties, devoted to the Catholics rather from habit than conviction, hoped to take ad-

vantage of their quarrels in order to weaken each in its turn, and thus domineer over both.

In the midſt of this general fermentation, the corruption of morals became total, the treaſury was exhauſted, the laws had loſt their vigour, and every branch of the adminiſtration fell into ſo powerleſs and disjointed a ſtate, that the government and nation ſeemed upon the brink of inevitable ruin.

Such were the circumſtances when l'Hoſpital ſtood forth the preſerver, the reſtorer, the creator of our moſt ſalutary laws. Amid the ſhock of ſtruggling paſſions and contending crimes, hiſtory paints him uniformly great, always unſhaken, always upright, riſing above all the prejudices of his age; from the height of his genius looking down upon religious diſſenſions as the Eternal beholds them from his throne, endeavouring to cloſe the breaches, to conciliate the minds, to appeaſe the quarrels, almoſt ſucceeding in the attempt while his voice could be heard, and for ſeveral years ſtanding ſingly as a bulwark againſt all the confuſions which threatened to deluge the ſtate: nor did he quit his poſt till he ſaw the heart of Charles IX. ſunk in cureleſs depravity, Medicis all powerful, and a bloody corrupted ſyſtem of policy adopted by the

the council; we then behold him voluntarily and chearfully reſigning dignities, which in his eyes had loſt their value, when they afforded him no more hopes of being uſeful; retiring to the country, conſoling himſelf with philoſophy, a virtuous poverty, and the pleaſures of literature; in a word, offering to our view, in the whole of his life, a picture commanding, awful, and ſolemn, and which in our annals gives him the air of a beautiful antique among pieces of modern ſculpture.

Theſe doubtleſs are not what make it difficult to compoſe the panegyric of l'Hoſpital, or at leaſt theſe are difficulties in which genius delights. Grand ſubjects are its peculiar province, they kindle its emulation, inſpire it with new force, place it in its proper ſphere, and ſoon make it leave behind whatever is below its flight. But the real difficulty originates in the impoſſibility of writing the encomium of l'Hoſpital with a proper degree of liberty and truth. In fact, when by the ſtatutes of the Academy the works of the competitors are ſubmitted to the inſpection of the Sorbonne; when we have ſeen that body vent their rage againſt a few common places in favour of toleration thinly ſcattered in Beliſarius, and the panegyric on Fenelon; how can it be ſuppoſed that they would permit the eu-

eulogium of a man, who conſtantly ſpoke the dictates of reaſon and philoſophy in the council of kings; who preſerved France from the horrors of the inquiſition; who attempted to relieve the people by diminiſhing the opulence of the clergy; who always viewed religion with the eyes of a ſtateſman, that is regarded it as a part of legiſlation neceſſary to be ſupported, but which government ought to model on the plan moſt productive of happineſs to mankind; and who therefore always entertained a ſecret inclination for Calviniſm, from a conviction that it was moſt favourable to the cauſe of liberty, induſtry and humanity. How is it poſſible to avoid inceſſantly falling into involuntary alluſions and compariſons, while we write the encomium of a miniſter who never ſuffered himſelf to be ſoftened by corruption or governed by intrigue; who in office preſerved all the integrity of his native virtue; who, placed near the perſon of a young king, exerted his utmoſt efforts to improve his mind, and guard him from the poiſonous manners of his court; who, in a word was the miniſter of the nation, rather than of the throne? Let the man venture to compoſe ſuch an eulogium, who is conſcious of poſſeſſing talents equal to the taſk, and above all that ſpecies which owes its birth to a paſſion for truth; let him attempt

attempt this, and he will ſoon drop his pen in diſmay at what his ſubject would oblige him to utter; and from a painful feeling of the trammels with which he is beſet on every ſide, the more elevated and vigorous his mind, the more galling will its fetters ſeem, and the more it will be enfeebled by the bitterneſs of anguiſh.

What kind of diſcourſe then can the Academy expect from the preſent competition? Rhetorical amplifications, in which l'Hoſpital will be painted with a vague and timid pencil, where his character, his actions, the ſublime leſſons of his life will be loſt in high ſounding, wordy periods, ſignifying nothing; works deſtitute of utility, void of ſpirit, without philoſophy, and deſervedly as periſhable as the laurel with which they are rewarded.

Let us commiſerate the Academy for not having it in her power to admit works which would ſpeak a more bold and manly language. Such is her conſtitution, ſuch are the chains with which Richelieu fettered her at her birth. Who knows whether this crafty tyrant did not foreſee at its creation, that this inſtitution would for ever enliſt the majority of the literati under the banners of government, who, inſpired with emulation to obtain the places it offered, and afterwards deſirous of peacefully enjoying the trivial

trivial honour of their ſeat, would ſuffer nothing great, ſpirited or liberal to flow from their pens. We may juſtly aſcribe ſuch an extenſive view to a man who underſtood ſo perfectly the art of combining all the ſprings of deſpotiſm; and if this was really his ſcheme, it muſt be owned that he perfectly ſucceeded.

Let men who have not made theſe reflexions diſpute the prize of the Academy, but let us ſeek the palm to which we aſpire in a larger field, in the approbation of the public; let us for once pay a great man the encomium he merits from poſterity, that is with boldneſs, impartiality and freedom. Let us dedicate to the aſhes of l'Hoſpital the only eulogium by which he can be honoured, an eulogium dictated by truth and ſupported by hiſtory. May we have for rivals in this noble deſign not mere literati, who are commonly placed at too great a diſtance from buſineſs and mankind, miſled by a declamatory and barren philoſophy, a thouſand times more ſlaves of certain prejudices than the people whom their vanity prompts them to imagine they inſtruct, above all, ſlaves to the conſideration of their own intereſt or quiet, and who very ſeldom ſhew in their writings a ſufficient regard to truth, or a proper degree of ſpirit; but men who know the world and its tranſactions,

tions, are accuſtomed to the direction of affairs, or acquainted with thoſe who guide them, men who have ſtudied hiſtory not with a deſign to write, but one day to furniſh a ſubject for the writers of it.—Why will not all Europe vie in making the panegyric of l'Hoſpital? A great man is the property of the univerſe. Ye elevated ſouls, ye enlightened minds, ye friends to virtue, whatever be your country, you are capable of praiſing l'Hoſpital, he was made for your model. If ye be not my competitors, 'tis you alone I chooſe for my judges. May you find in my work not that ſtrained and pompous eloquence which I never ſtudied and of which I am not ambitious, but that ſimple and juſt chain of reaſoning, which is the reſult of ſound judgement and a careful ſtudy of hiſtory, the noble emotions of a ſoul capable of catching the ſpirit of virtuous enthuſiaſm from great examples, and the paſſionate deſire of glory, not that which reſults from elegantly praiſing a man of diſtinguiſhed merit, but that which may be acquired by an imitation of his conduct. Diſcover there the throbs of an ambition with which I acknowledge myſelf inſpired, the agitation of a ſoul fatigued with inaction, and that conſciouſneſs, doubtleſs too audacious, of the ſtrength I would diſplay on a greater theatre.

The impenetrable ſecreſy in which I ſhall conceal my name enables me to lay open my whole heart, and I am ſure that you will love even its extravagances. I hope my readers will pardon this preface; I am now to enter upon my ſubject; but I thought myſelf obliged to juſtify the motto I have adopted, and explain the plan which I have choſen for the execution of my work.

THE Chancellor l'Hoſpital is one of thoſe examples which ſeem to be occaſionally brought into the world on purpoſe to humble the pride of high birth, and to rouſe the ambition of plebeian merit. Born in a ſtation more than obſcure, he was the artificer of his fortune and creator of his name. His father was a phyſician and his grandfather a Jew. During his life this origin was doubtleſs uſed by his enemies as a weapon againſt him; at preſent it is an enhancement of his glory. Auvergne * boaſts of his birth; France eagerly wiſhes to have a miniſter like him, and he alone makes a greater figure in our hiſtory than the numbers of proud lineages with whoſe uſeleſs names it is encumbered.

* He was born at Aigue Perſe 1506.

Could

Could men chooſe their own deſtiny, the firſt wiſh of their life ought to be to ſpring from a wiſe and virtuous father, for this is almoſt always productive of another important advantage, a virtuous education, and the happineſs of ſeeing its precepts reduced into practice. This bleſſing l'Hoſpital enjoyed. His father, a man of ſenſe and probity, after educating him at home till he was twelve years of age, ſent him to ſtudy at Toulouſe, thus prudently giving his ſon, each at their proper ſeaſon, the two methods of education. In the early part of life, when the principal object is to watch the health, form the conſtitution, and implant in the heart the firſt leſſons of morality, he juſtly thought a father more proper for attending to thoſe particularities, than the tutors of a college, whoſe cares are too much divided, and therefore brought up his ſon under his own eye; but in youth he gave the preference to a public ſeminary, becauſe it cheriſhes emulation, moulds the character, prepares young men for the conflicts of the paſſions they will meet with in ſociety, and inures them to the diſappointments of life.

Young l'Hoſpital was afterwards compleatly formed under the beſt of all maſters, who early gives the advantage of experience and ripens the judgement; who ought to preſide over the edu-

cation of all princes. This maſter was adverſity. His father had firſt attached himſelf as phyſician, and afterwards as law agent and counſellor to the famous Conſtable de Bourbon, whoſe glory cannot be entirely effaced by his crime, becauſe he was provoked to the commiſſion of it by the greateſt acts of injuſtice. On the flight of that prince he found himſelf reduced to the moſt mortifying alternative; ſhould he abandon his maſter, his benefactor, his friend? For the Conſtable entertained the warmeſt friendſhip for him, and had enriched him by his liberalities: ſhould he abandon him when he was on the point of being a fugitive, an outlaw, with one foot on the ſcaffold? when his ſole reſources were his courage and his hopes? But on the other ſide, by following him he forever renounced his country, he left his ſon, ſcarce eighteen, at Toulouſe, in the hands of an irritated ſovereign, and the life, at leaſt the liberty of that ſon, might expiate the tranſgreſſions of the father. What ſtrong ties! What a hoſtage to be left! And what a noble diſplay of the utmoſt pitch to which the moral powers of human nature can be carried is offered by a ſenſible and virtuous heart ſtruggling with ſuch perplexities! L'Hoſpital endured the conflict, felt the pangs of a father, and followed the Duke. His for-

tune?

tune?—He was indebted for it to his patron, and to ſacrifice it to him was only reſtitution.—His country?—To it he doubtleſs owed all his ſervices, but has that name, ſo ſacred in a republic, the ſame rights in a monarchy? Can it there ſufficiently elevate the ſoul to balance the more immediate and poſitive duties of friendſhip and gratitude?—His ſon?—He hoped that his innocence and youth would prevent his being involved in his father's fate; thought his ſoul already ſufficiently formed tacitly to approve of the proceeding, and not to regret the loſs it occaſioned, and mitigated the thoughts of the misfortunes this ſtep would bring upon him, by reflecting that they would ſerve to elevate and ſtrengthen his character.

In fact, young l'Hoſpital was ſoon put to a ſevere trial. He was arreſted by an order from court, carried off in the night, and dragged to the public priſons. Commiſſioners were named to interrogate him, while a criminal proceſs was drawn up at Paris againſt the Duke and thoſe who had accompanied him. It was a very haſty ſuſpicion to imagine young l'Hoſpital an accomplice of his father, when he was yet at ſchool, had been abſent from home for ſeveral years, and was at Toulouſe when his father ſet out from Moulins. Had it been the intention of

l'Hoſpital

l'Hoſpital to make his ſon privy to his reſolutions, would not the firſt ſtep have been to put him in a place of ſecurity? But that tyranny which is called *reaſon of ſtate*, does not keep ſo ſtrict an account with the liberty of mankind; and chooſes rather to confine twenty innocent perſons, than ſuffer one of its victims to eſcape. Young l'Hoſpital appeared before the commiſſioners, with the confidence of a man, and the ſimplicity of a child. It is a known truth, that in ſuch caſes government ſtill retains the deteſtable cuſtom of chooſing magiſtrates entirely devoted to it, and who therefore from a notion of ſeconding its views, uſe every art to bring in guilty all who come before them. The anſwers of l'Hoſpital confounded their queſtions. He was already maſter of that ſound logic which ſome favoured underſtandings receive from nature, and which may be looked upon as the univerſal inſtrument of ſcience and buſineſs. At laſt, no evidence being found againſt him either at Paris or Toulouſe, he was releaſed, but preſerved engraven on his heart, the uſeful leſſon of innocence oppreſſed, and we muſt not be ſurpriſed, if unhappy and perſecuted in his earlieſt youth, he became during the remainder of his life the friend of the unfortunate and the enemy of perſecution.

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The firſt uſe which young l'Hoſpital made of his liberty, was to go and quiet the apprehenſions of his father, and conſole him in his exile. Accordingly he made his eſcape from Toulouſe, and flying to Italy, joined his father at Milan, where he was ſhut up with ſome of the Conſtable's partiſans. Scarce had they enjoyed the pleaſure of again ſeeing each other, when the city was inveſted by Francis I. The Conſtable advanced to its relief, at the head of the Spaniſh army; Lombardy became the theatre of the war; and ſoon after, Francis found reaſon, in the plains of Pavia, to repent the driving of a great man to deſpair. Meanwhile, l'Hoſpital's father, who deſtined his ſon to the ſtudy of the law, beheld him with uneaſineſs amid the tumults of war. He dreaded the diſſipation of a too active life, and the temptations of a ſpecies of glory which preſents itſelf to young men, under ſuch a pompous appearance, and is ſo congenial to the vigorous flow of their blood, that perhaps there is not a ſingle perſon who has not ſighed for it. He wanted his ſon to perſevere in the purſuit he had choſen; for this purpoſe it was neceſſary again to part with him, and he was ſent to the univerſity of Padua, paſſing through the French army in the diſguiſe of a muleteer. Let us, in the name of that age,

age, in the name of poſterity (for the influence of a great legiſlator extends to ſeveral generations) thank l'Hoſpital's father for making him perſiſt in a profeſſion to which he was called by his virtues. Had he followed that of arms, he probably would have ſhewn the ſuperiority of his genius: but of what benefit could his talents have been in thoſe factious and troubleſome times, which ſoon ſpread deſolation over France, when he could only have been the inſtrument of party rage to tear the bowels of his country. In a word, if we except that glory ſo ſeldom attained of ſaving our country, as Camillus ſaved his, what victory confers equal honour with the contriving a ſingle law which tends to the happineſs of mankind?

Italy had for two centuries been the cradle of reviving learning, and the revolution was begun by the poets. Danté, Petrarch, Boccace, and Arioſto, had at firſt created the language; for before their time, it was only a half barbarous jargon, derived indeed from the language of the Ciceros and Virgils, and even in its ruins atteſting the nobility of its origin. The language once drawn from its original chaos, it was applied by men of different genius and talents to their ſeveral purpoſes. Taſſo was then forming himſelf to that elegance and correct-

neſs

neſs in which he excelled his predeceſſors; and who is the only real epic poet whom the moderns can oppoſe to thoſe of antiquity. Writers of a graver caſt, of more ſolidity and depth, Machiavel, Guicciardin, and Fra-Paolo, were celebrated through all Italy. Genius, and above all, a faculty of juſt reaſoning, were unknown through all the reſt of Europe. The two Marots, Baif, St. Gelais, were our beſt poets. Eraſmus, Budæus, More, were the miracles of their countries. In Italy alone, theology, hiſtory, and law, began to ſhake off the ſcholaſtic yoke. That was the only country where lectures of juriſprudence were given, and the univerſity of Padua excelled all the reſt in this branch of ſcience.

Young l'Hoſpital, ſoon after his arrival, diſtinguiſhed himſelf among the numerous foreign ſtudents that reſorted thither. He at firſt applied himſelf to the ſtudy of the law; that immenſe and dry field, in which the mind is neither relieved by the ſearch of truth, as in the demonſtrative ſciences, nor ſoothed by the illuſions of vanity, as in polite literature, and was then much more difficult than at preſent, as the ſtudents were obliged to have recourſe to the original authors, who had not yet been illuſtrated by the labours of Domatus, Cujas,

and other able commentators. His ſucceſs was facilitated by his ſkill in the Greek and Latin languages, which were as familiar to him as his mother tongue; and no part of this extenſive ſcience eſcaped his reſearches. He ſtudied, with equal application, the ancient, modern, civil and canon laws; but his principal object was the law of nature; the rights of man, and the ſtudy of hiſtory, by which he remounted to the principles of particular inſtitutions, unravelled their chaos, and ranged them in his mind, not in a ſcholaſtic method, but like a magiſtrate and a philoſopher: If he ſometimes relieved the ſevere fatigue of this ſtudy by amuſements, theſe recreations were of the ſerious and uſeful kind, and he ſought them in the cultivation of the fine arts. They were then at their height in Italy, it was the age of Raphael, Titian, and the Caracci. He examined their maſter-pieces, ſtudied their beauty, was animated by the ſight, and, as we learn from his own letters, applied for ſome time to ſculpture and painting. Such eſſays, which it is proper to abandon when more important employments call for every moment of life, by introducing the great to a nearer acquaintance with the beauties and difficulties of the arts, teach them to pay a more lively and reaſonable homage

homage to the merit of diſtinguiſhed artiſts. Nor did he neglect the cultivation of poetry, for which he preſerved a taſte while engaged in public employments, and it was the favourite amuſement of his ſolitude. Thus dividing his application between the ſciences and arts, young l'Hoſpital reſembled thoſe vigorous plants which an active and plentiful ſap at once crowns with flowers and fruit. Meantime, though ſeparated from his father, abandoned to his own inexperience, to all the paſſions of his age, and the ſnares of a warm climate and corrupted city; he never deviated a moment from his purſuit, but continued his courſe with the unremitting ſteadineſs of a traveller eager to accompliſh his journey. One of the law profeſſorſhips becoming vacant, the magiſtrates of Padua offered it to him, if he had a mind to ſettle among them. How powerful muſt have been the influence of his virtue and knowledge, to gain their ſuffrages! He was a Frenchman, and whether from juſtice or prejudice, that name was odious in Italy.

Thus l'Hoſpital paſſed, according to his own account, ſix whole years in compleating his education; this long preparation for taking on him the character of a man, and of a public man, forms a remarkable contraſt with that of

our modern magiſtrates, who are ſometimes inveſted with the government of a province, at the age of twenty. But let us hear what he himſelf ſays of thoſe profitable years. To them he attributes all that he has done; to them he refers all the eulogiums beſtowed on him; he recals their idea with a ſpecies of tenderneſs, and as he would ſpeak of an affectionate friend, to whom he was indebted for his education: "O fortunate times," (thus doth he expreſs himſelf in a letter written twenty years afterwards) "when young, and free from the fa-"tigues of buſineſs, I lived under a clear ſky, "ſurrounded with objects of ſtudy, and con-"verſing with the great men of antiquity, who "ſeemed to iſſue out of their tombs for my "inſtruction!"

What a number of events had paſſed during the time of l'Hoſpital's reſidence at Padua. The battle of Pavia, the captivity of Francis I. the treaty of Madrid, the Duke de Bourbon's fruitleſs campaign in Provence, and at laſt his death at the aſſault of Rome, when a victorious and enthuſiaſtic army, was perhaps on the point of procuring him a high fortune. This cataſtrophe at once deſtroyed all the hopes of l'Hoſpital's father, who found himſelf at once deprived of his patron, deſtitute of employment, and without

out

out reſources. But he had a ſon whoſe talents would be his glory and ſupport. This conſideration conſoled him for all his ſufferings. They met at Bologna, and ſome time after went together to Rome. Young l'Hoſpital's reputation had reached that capital before him, and almoſt immediately on his arrival, he was made Auditor of the Rota: but he did not long exerciſe that employment. Cardinal de Grammont, with whom he had been acquainted at Padua, was then at Rome. Woe to that man, who from a frozen affectation of univerſal benevolence, can ſee one of his countrymen, early diſtinguiſhed by his talents, ſettled in a foreign country, without being attracted to him with the affection of a brother, and generouſly deſigning to reſtore him to his native land. The Cardinal conceived this deſign, and ſucceeded. Had he lived, he would have been rewarded with being a witneſs of l'Hoſpital's glory. At leaſt it is our duty, at this day, to recal the remembrance of the ſervice he, on this occaſion, did to France, and pay the homage due to him on that account. If men of high rank are not themſelves endowed with ſuperior abilities, their principal merit is to diſtinguiſh, and draw them from obſcurity.

It was no difficult matter to prevail on the two l'Hoſpitals to return to their country, for a reſtoration to which they both eagerly longed, the father that he might die, the ſon that he might live in it. The Cardinal having undertaken to procure a pardon for the one, and promotion for the other, engaged the latter to accompany him to France, while the former waited on the borders for the event of his ſolicitations. But their misfortunes were not yet at an end; the Cardinal dying ſuddenly at Toulouſe, young l'Hoſpital went to Paris, where he ſolicited, preſſed and implored in vain. Finding it impoſſible to gain permiſſion for his father to return, he prepared to rejoin him, in order to be the ſupport and conſolation of his old age; but his father, equally generous, oppoſed this reſolution, and retired to the Ducheſs of Lorraine, who made him her phyſician, and at her court he ſoon after died.

L'Hoſpital found himſelf, at Paris, without friends, without fortune, almoſt a ſtranger, and with a name ſuſpected by the government; but he found reſources in his talents and his heart. He attached himſelf to the bar, of which he ſoon became the oracle. Morin, lieutenant-criminal, having an only daughter, thought his whole fortune not too great a price for the honour

honour of having ſuch a ſon-in-law. The office of a counſellor in parliament made part of her portion. Thirty years before l'Hoſpital would have been indebted for this office ſolely to his merit; the dignities of the robe were not then ſet to ſale, but granted to diſtinguiſhed pleaders; when a vacancy happened, the parliament propoſed three candidates, of whom the king named one. Louis XII. eſtabliſhed this method by a formal law, which was cancelled by Francis I. a prince fond of war and money. The pernicious advice was given by the Chancellor Duprat; but as princes chooſe their own miniſters, their memory is chargeable by poſterity with all the faults committed under their reign. Abuſes, like rivers, ſmall in their beginnings, at laſt ſweep every thing before them with an irreſiſtible torrent; at firſt only twenty new offices of counſellors in the parliament of Paris were put to ſale; the following year thirty were ſold in the parliaments of the Provinces, and in proceſs of time they were all thrown into the revenue. From that time, neither examination nor a concurrence of ſuffrages was neceſſary for obtaining a ſeat in thoſe bodies; nor, of conſequence, knowledge, integrity, or reputation; money conferred upon the moſt ignorant, and ſometimes on the vileſt

of

of men, a right to paſs ſentence on the fortunes and the lives of the ſubjects. When the judges purchaſe their employments, juſtice muſt ſooner or later be ſold either directly or indirectly. The ancient and modern * *epices* were ſoon converted into money. Next came the retributions to the clerks of the judges, the exactions of the ſubalterns of the law, and the boundleſs expences of chicanery which, itſelf, ſprung from the ſame fatal ſource. Thoſe numberleſs formalities, thoſe windings and ſubterfuges of which it is made up, and which have converted the temple of juſtice into a labyrinth, where ſound reaſon and juſtice can almoſt never ſerve for a clue, have all been invented by men of the law. Much has been ſaid againſt the farmers of the revenue; but the avidity of the magiſtrates or their ſubalterns has been equally inventive and no leſs unfeeling. It has corrupted what is moſt ſacred upon earth, and the only things which make government a bleſſing to mankind, juſtice and the laws.

Such was the degeneracy of the magiſtrates, even when l'Hoſpital took his ſeat in the par-

* The judges fees, which, from this paſſage, ſeem at firſt not to have been pecuniary.

liament

liament of Paris, † and ſo univerſal was the corruption of its members! The old counſellors, who had been named in conſequence of the choice of their companies, and bore a known and honoured character (for when degeneracy is not compleat, this laſt motive has a powerful effect on mankind), were attached to the ancient principles, and only wanted a man to ſet them in motion; and as ſoon as l'Hoſpital appeared, they joined him. Now and then they ventured to reject ſome of the new counſellors, and in a ſhort time had the courage to make a greater example. The preſident Genty, who had purchaſed that office, with money previouſly acquired by unjuſtifiable means, and reimburſed himſelf by malverſations, was accuſed, condemned to be hanged, and executed at Montfaucon. L'Hoſpital, whoſe heart was far from being ſanguinary, ſhewed the greateſt keenneſs in the proſecution; ſo ſtrong a deteſtation did he entertain againſt villainy, and ſo high an idea of the ſacred duties of a magiſtrate: *We are pruning the branches*, ſaid he, in a full aſſembly, ſometime before the condemnation of Genty, *but the evil lies at the root, and the laws are reſpected or deſpiſed according to the morals of the magiſtrates.*

† In 1537.

The purity of his own, gave him a right to ſpeak in this manner. They had all the ſimplicity and auſterity of the founder of a new republic. He was in the court before day-light, and at home early in the evening. But at the end of this encomium, we ſhall give a full picture of his moral life. A baſis which is ſo often wanting to the glory of great men, and which would render it compleat, deſerves particular attention.

Men ſingly, or in private, ſometimes refuſe to ſubmit to a man of ſuperior abilities. But in public aſſemblies, where genius can diſplay its powers amid the ſhock of contending opinions, merit neceſſarily riſes to its proper level. L'Hoſpital ſoon aſſumed his own, and it was ſuperior to all his colleagues. He was perfectly acquainted with ancient and modern juriſprudence, and this knowledge gave him great advantage above all the other members of the parliament; for it muſt be obſerved, that the ſtudy of the Roman law was yet recent; having fallen into deſuetude during the troubles of the Carlovingian line, and afterwards being buried in oblivion during three centuries, it had been re-eſtabliſhed by Charles VIII. and Louis XII. But did they in this, make us a very valuable preſent? Do we not owe the birth of chicanery,

to

to thoſe too complex and too ſubtile laws? Ought we not, in ſome reſpects, to regret the loſs of thoſe times, to which we give the name of barbarous, when all legal ſuits, turning only upon queſtions of fact or points of cuſtom, an upright intention, and a fund of good ſenſe, were ſufficient qualifications in the judges? Is it not extraordinary, to ſee the Roman juriſprudence eſtabliſhed among a people whoſe government, religion, and manners are entirely different? In a word, would it not be more natural, that a code were compoſed expreſsly for us, and calculated for the circumſtances in which we find ourſelves? This is a point proper for the deciſion of magiſtrates, were it poſſible to find any ſufficiently free from the prejudices of their education and profeſſion, to reſolve thoſe queſtions with the impartiality and freedom of philoſophers.

To this ſuperiority of knowledge, l'Hoſpital joined the talent of elocution, a talent ſo eſteemed in free countries, and ſo neglected in ours, which is more difficult and more uncommon than that of writing, becauſe nature alone furniſhes its great principles, and with equal ſolidity and ſuperior quickneſs of underſtanding, it requires faculties, mental and corporeal, unneceſſary to the man who with deliberate ſtudy

compoſes in the cloſet. L'Hoſpital's eloquence was not like that which we ſo frequently meet with in our days, abounding in words and deſtitute of ideas, ambitious of dazzling rather than convincing; it diſdained ornament, was always ſuited to the ſubject, and advanced directly to the point in view. But we ſhall ſoon ſee it diſplayed on a more noble theatre, in the council of the ſovereign, in the aſſemblies of the nation, employed on the moſt important ſubjects, and defending the cauſe of the people. When eloquence is conſecrated to this glorious office, then does it deſerve our homage, and become the nobleſt gift nature beſtows on genius.

Thus did l'Hoſpital, during the ſpace of nine years, fill his office of counſellor in the parliament of Paris, without diſtinguiſhing himſelf, except by curbing a few abuſes, and ſaving ſome individuals from unjuſt condemnation. But this ſtation, though ſufficient for the virtue of an ordinary man, was too confined for the activity of that principle in a mind like his. He was not actuated by that vulgar ambition, ſo commonly indulged by thoſe who are deſtitute of talents to excuſe it, and which in them, is only an eager deſire of making a fortune. He was deſirous of eminence, only becauſe it impoſes important duties, and furniſhes opportunity of doing

doing great ſervices to mankind. The judicial functions, however majeſtic they might ſeem to him, when conſidered as matters of conſcience, appeared in another light, as too tediouſly uniform, and of inferior dignity: *This ſtone*, ſays he, in one of his letters, *which, like another Siſyphus, I am obliged to roll from the riſing to the ſetting ſun, and which, next morning, I find at the bottom of my rock, cruſhes me with its weight.* Olivier, his intimate friend, and colleague in the parliament, who was acquainted with his ſecret diſguſt, being then promoted to the dignity of Chancellor of France, the firſt uſe he made of his credit, was to find employment for l'Hoſpital. Francis I. being lately dead, was ſucceeded by Henry II. and Olivier determined the new Monarch to ſend l'Hoſpital Ambaſſador to the Council, which Paul III. had, a little before, adjourned from Trent to Bologna*.

It was impoſſible to have pitched upon a more proper perſon for executing this commiſſion. He had ſtudied in Rome itſelf, the ſpirit of that court, which ſtill continued to be the centre of all affairs, and the *focus* of European politics. He had ſeen the abuſes on the

* In 1547.

ſpot,

ſpot, and there they are always moſt ſtriking; it is perhaps owing to this uſeful evidence, that Italy has always been leſs infected with a ſpirit of ſuperſtition and fanaticiſm, than any other country in Europe; he had been an eye-witneſs to the vices of the popes, the avidity of the clergy, and the profanation of the goſpel, but much more enlightened than thoſe pretended ſages, who endeavoured to demoliſh the building on account of a few faults in its conſtruction; he did not confound religion with the errors ingrafted upon it by the paſſions or ignorance of mankind; he could have wiſhed to free it from the multitude of abuſes foreign to its nature; and when thus purified, thus reſtored to its primitive ſimplicity, he looked upon it as the foundation of public virtue, the bridle of kings, the comfort of the afflicted, the covenant of God with man, and, to borrow an expreſſion from Homer, which he has quoted in one of his letters, *the golden chain which links the earth to the throne of the Eternal*. Above all, he was perſuaded that religion ought neither to be intolerant, oppreſſive, nor a friend to tyrants, but, like an affectionate mother, treating all her children with an equal degree of tenderneſs, and opening her boſom to every ſect, while they inculcate the practice of the ſame virtues,

and

and endeavour to attain the ſame purpoſe, though they may vary upon unimportant doctrines, or what is of ſtill leſs moment, ceremonies and the external modes of worſhip.

Thus did l'Hoſpital bring to the council, ſentiments widely different from thoſe that prevailed among its members. That aſſembly, which was convoked to reſtore peace to the church, preſented only a continued ſcene of intrigue, confuſion and ſcandal. Paul had removed it from Trent to Bologna, under pretence of an infectious diſtemper, which had broken out in the former of theſe towns; but in fact, in order to remove it from a place where he thought the Emperor had too great influence. The German prelates, and ſome Italian biſhops devoted to the Emperor's intereſt, who remained at Trent, proteſted againſt the tranſaction of the council, and this ſchiſm ſprung from the different intereſts favoured by the two parties. The Emperor and the Pope equally deſired the ruin of the proteſtants; but Charles V. at the ſame time, wanted to preſcribe laws to the court of Rome, and enrich his crown with part of the uſurpations of the Thiara. He already projected that celebrated formulary, which he cauſed to be drawn up the year following, and received at the Diet of the empire; an act, the

ſecret

ſecret tendency of which was to ſeparate Germany from her obedience to Rome. For what ideas of ambition did not in their turn poſſeſs the mind of this extraordinary man, who ſometimes ſhewed himſelf the ſupport, ſometimes the reformer of the church, who conceived the whimſical project of aſſuming the popedom, and at his death was ſuſpected of being in his heart a Lutheran! Paul, in the ſame manner, was an enemy to the proteſtants, from a view to his private intereſt: by deſtroying them, he hoped to recover the ancient power of his predeceſſors. He uſed his utmoſt endeavours to prevail with the council to eſtabliſh a mode of diſcipline, which would have impoſed a ſtrict yoke on all the catholic countries. With this view he had entered into a cloſe correſpondence with Henry II. whoſe enmity againſt Charles he flattered. He had formed a ſtrong party among the French clergy, no leſs than twelve of whom were inveſted with the purple, and he had formally promiſed it to eight other biſhops. Henry II. was unacquainted with this conſpiracy of part of his clergy, againſt the liberties of the Gallican church. Like all weak princes, he had no plan of conduct, was void of foreſight, and always the ſport of events. He burned the proteſtants in his own kingdom, becauſe he ima-

imagined their aggrandizement dangerous to his authority, and favoured them in Germany, becauſe they were enemies to Charles.

Amid ſuch a chaos of paſſions and intrigues, was l'Hoſpital employed to obſerve and negotiate. The picture was familiar to him, but he flattered himſelf with being able, among ſo many prelates of different nations, to form a ſmall body of wiſe and enlightened men, who might inſpire the council with moderate and tolerant ideas; and at leaſt, by giving way to the current, which ſet ſtrongly againſt the Proteſtants, obtain a reformation of the Romiſh church. Beſides, he had the fault common to men of upright intentions and ſtrong minds, which can only be cured by long experience: he thought that he ſhould find others inflamed with the ſame ardour for the public good, which animated his own breaſt; and that he could communicate to them the emotions he himſelf felt: But he was deceived in his expectations. Thoſe prelates who had talents were corrupted, and they who had honeſt intentions, wanted abilities. He ſaw himſelf reduced to be the agent of petty intrigues, and the ſervile inſtrument of the blunders of his court. It was impoſſible for him long to perform a part ſo oppoſite to his character and principles, and four

months after his arrival at Bologna, he prevailed upon Olivier to obtain his recal. Many ambaſſadors have been in ſimilar ſituations, without having the ſpirit to purſue the ſame conduct; becauſe few men can be indifferent to the fortune attached to great poſts, and by a perſonal and independant importance, ſupply the want of that borrowed and fleeting exiſtence they beſtow.

L'Hoſpital, on his return to France, was hailed by the voice of learning and of friendſhip. That of Olivier ſoon ceaſed to be uſeful, but was no leſs valued by him on that account. Diana de Poitiers, Ducheſs de Valentinois, miſtreſs of Henry II. after being that of Francis I. that is both of the father and ſon, a haughty, avaricious, implacable woman, an enemy to every virtue, prevailed on her lover to deprive Olivier of the ſeals, and ſend him into exile, to which he was followed by the public eſteem and the heart of l'Hoſpital. It was at this period, and during his retirement, that l'Hoſpital addreſſed to him an epiſtle in Latin verſe, upon the happineſs of a country life; a compoſition in which we find the philoſophy of Epictetus, and ſometimes the ſtile of Horace. *You do well*, replied Olivier to him, *to make the ideas of diſgrace and baniſhment familiar, for you poſſeſs*

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the talents which call men to great employments, and the virtue which prevents holding them a long time.

Letters, which frequently injure the fortunes of thoſe by whom they are cultivated, repaired the loſs which l'Hoſpital had ſuſtained by the diſgrace of Olivier; they made him known to Margaret of Valois, ſiſter of Henry II. a princeſs, who, in the midſt of an ignorant and corrupted court, formed a ſociety of learned and virtuous men, who regarded her as their patroneſs. She was afterwards married in Savoy, and by her conduct in that country, deſerved the moſt ſacred and pleaſing of all names, *the mother of the people.* The Cardinal du Bellay, Montluc Biſhop of Valence, Chatel Biſhop of Tulle, Ronſart, Turnebus, Deſpenſe, and Amyot, were members of this ſociety. It affords an agreeable reflexion, that in that time, which was the period when learning and ſcience ſprung up in France, their cultivators did not mangle, abuſe and deteſt one another, as is the caſe at preſent; either becauſe the field being new and of immenſe extent, abilities and pretenſions had fewer opportunities of contending; or from the ſmallneſs of their number and being ſurrounded by a people but half emerged from barbariſm, they thought it neceſſary to

unite for their mutual ſupport; or in a word, the ſenſeleſs deſire of excelling in wit, the vain paſſion for the applauſe of the day, or the baubles of the academy, had not ſet them at variance with one another. They unanimouſly gave the title of Prince of Poets, to Ronſart. It was without jealouſy they ſaw Amyot, from being a country ſchoolmaſter, made preceptor to the king's children. They all united to place the merits of l'Hoſpital in the moſt favourable light in the eyes of Margaret. She became deſirous to ſee him, and having ſoon learnt to eſteem and love him, preſented him to her brother, who appointed him his Maſter of Requeſts, and in a ſhort time, on his account, inſtituted the office of Superintendant, and firſt Preſident of the Chamber of Accompts*.

The duties of that employment were undoubtedly of greater importance at that time than they are at preſent, or perhaps by a great man's diſcharging all the duties of the employments he holds, he ſeems to extend their ſphere. One thing certain is, the memorials of theſe times ſay, tho' without explanation, that l'Hoſpital reſtored order in the public accompts, and oppoſed depredations. They were certainly greater in that age than in ours, be-

* By an edict bearing date January 1554.

cauſe

cauſe they were favoured by the public diſturbances, and becauſe the great, a claſs of men who are always diſſipating their fortunes by luxury, and never repairing them by induſtry, almoſt always live at the expence of the nation, and were then in poſſeſſion of a power which knew no bounds. Beſides, Henry II. was of all princes the moſt prodigal, having in two years not only laviſhed away all the treaſure which had been left him by his father, but likewiſe contracted a debt of ſeventeen millions. L'Hoſpital could not recover what was already loſt, but he prevented the nation from being totally ruined. *Sire*, ſaid he, one day to the King, while he refuſed to pay a gratification which had been granted beyond all reaſon and juſtice, *the money which your majeſty is deſirous to beſtow is the property of the people. It is the ſubſtance and produce of twenty villages, ſacrificed to gratify the avidity of an individual.* Another time he ſaid to Catharine de Medicis, who was then young and beautiful, and wanted to bury the thoughts of Henry's infidelity in magnificence and diſſipation, *Madam, the kingdom is waſted in feaſts and diverſions; and if that be the caſe, what will become of your children when the nation is no more?*

From

From ſuch auſtere language and principles we may judge what oppoſition he had very ſoon to contend with. Let us attend to what he ſays himſelf when he gives an account of his ſituation to Olivier. It is not the language of the hiſtorian nor the panegyriſt, it is l'Hoſpital himſelf pouring forth the feelings of his ſoul into the boſom of his friend, without ſuſpicion that his letters would one day find a way to the public. "I have become odious, by following meaſures which ought to have procured me eſteem. "They are enraged at finding that theſts can no "longer be committed, unpuniſhed; that I have "eſtabliſhed order in receipts and payments; "that I refuſe to pay gratuities granted upon "ſlight pretences, or put off the payment till "happier days. You well know what kind of "men live in courts, their avidity, their meanneſs, their contemptible effrontery! Shall I "prefer diſgraceful intimacy with them, to "thoſe duties which my obligations to the "King, and my love of my country, have preſcribed? May they ſwallow all, and the army "without pay lay waſte our lands? No, I will "go on as I have begun, I equally deſpiſe their "praiſe and cenſure; but I wiſh for your eſteem, "and ſhall be happy if you think me worthy "of it.

An

An affair, which had no connection with the revenue, ſtarted up at that time, and gave him great unneaſineſs. Henry's council, compoſed of the Guiſes, Montmorency the Conſtable, the Marechal de St. André, and de Bertrandi Keeper of the Seals, endured with great impatience the obſtructions which were thrown in their way, by the refuſals, or the modifications propoſed by the Parliament of Paris, in the regiſtration of the edicts; they therefore conceived a ſcheme for freeing themſelves from this reſtraint The plan was to divide the Parliament into two bodies, to ſerve ſix months alternately. The court kept in their own hands the power of chooſing the magiſtrates that were to ſerve in each of theſe half-yearly aſſemblies, ſo that by forming one of them entirely of ſuch members as had ſold themſelves to it, they could procure, during one half of the year, whatever they choſe to have paſſed, without oppoſition. This was the origin of the famous edict for half-yearly aſſemblies, but to conceal the motive, it was diſguiſed under the moſt ſpecious pretences. The public good, that name ſo frequently invoked in the preambles of all laws, but ſo often profaned by the ſecret purpoſes of the legiſlators, was placed in the front. They declared in it, that ſix months reſpite

was

was given to the magiſtrates, that the greater application might be exacted from them during their ſix months attendance upon their duty. The King chooſing, that for the future juſtice ſhould be adminiſtered gratuitouſly, he ſuppreſſed the fees and increaſed the ſalaries of the judges.

The parliament refuſed to regiſter this edict, they remonſtrated, and proteſted againſt it: the miniſters then conſulted l'Hoſpital, without letting him into their ſecret motives. L'Hoſpital exerted himſelf to the utmoſt in ſupport of the edict, and replied to the remonſtrances of the parliament: In this he followed the dictates of his conſcience. He looked upon the ſuppreſſion of the fees as the firſt ſtep to the reformation of juſtice, the deſtruction of chicanery, and the reſtoration of morals among the magiſtrates. "If the King," ſaid he, "could "in perſon adminiſter juſtice, which is the firſt "attribute and the firſt duty of the throne, "would he dare to demand fees for his ſen-"tence? Wherefore then ſhould he confer that "deteſtable privilege upon the magiſtrates, who "are his repreſentatives?" As to the increaſe of the royal authority by leſſening the influence of the parliament, which the opponents of the edict for the half-yearly aſſemblies ſeemed to dread

dread, l'Hoſpital had formed an opinion on the ſubject, from which he never ſwerved, and which ſerved as the foundation of his conduct all the time he remained at the head of affairs. He was perſuaded that parliaments only were, and only ought to be, courts of judicature. Their claim to the quality of ſenate, the repreſentative and the ſupplement of the ſtates of the kingdom, appeared to him, not only abſurd and chimerical, but contrary to the intereſts of the nation. In fact, what right have ſimple magiſtrates, created by the ſovereign, enjoying venal offices, moſt of them born in obſcurity, to imagine themſelves the repreſentatives of the people? What connection has their education, their ſtudies, their daily employments with government? How can they, amidſt the duſt of the bar, have learned to know the foreign or domeſtic wants of the ſtate; the beſt ſyſtem of taxation; the relation which all the parts bear to the whole, and the particular details to the general reſult? How are the claims of the ſtate to be ſupported; what ſort of reſiſtance is to be made by a body thus conſtituted, or what information can it give? Vain remonſtrances, filled only with declamations; ſometimes declaring the evil, but without pointing out a remedy. Is it not evident, that if the court, in a ſmall

degree, favoured the claims of the parliaments, by ſeeming to regard their regiſtrations as a neceſſary ſanction, and making a diſtinct part of the law, it was done only to flatter the nation with a chimerical counterpoiſe to the royal authority, and to accuſtom them gradually to the diſcontinuing the aſſembly of the ſtates.

L'Hoſpital thought that the convocation of the ſtates was the true council of the nation, the *Palladium* of its rights, and the reſource which might remedy every evil, by entirely new modelling the ſtate. This was a noble thought, in which was contained the ſeeds of many more, and in conſequence of it, he cauſed them to be aſſembled three times during his adminiſtration, and propoſed that a committee ſhould ſit in the interval between the meetings to enforce the execution of their reſolves. Beſides, ſuch is the preſent opinion of the parliaments and the aſſembly of the ſtates, not taken from old magiſtrates who are blinded by partiality to their profeſſion, and prejudice in favour of paſt times, but of young people, whoſe minds are more bold, more free, enlightened with real knowledge, and capable of viewing objects on a larger ſcale. They admit that parliaments are inſufficient and incompetent in the adminiſtration of public affairs,

affairs, and declare that inſtead of their uſeleſs and ridiculous conflicts with the royal authority, they have but one reſource left, which is to acknowledge that incompetence, to claim the convocation of the ſtates of the kingdom, as the ſole judges and arbiters of the intereſts of the nation, and in the mean time to proteſt againſt all compulſory regiſtrations, but more eſpecially, all edicts for the levying money as illegal, and contrary to the practice which was conſtantly obſerved to the time of Louis XIII. By this means the government, which would probably ſtill continue its meaſures, would at leaſt be obliged to throw off the maſk, and own itſelf deſpotic; the film would drop from the eyes of the people, and an enlightened nation, when oppreſſed, will ſooner or later reſume its rights.

This is preciſely what l'Hoſpital foreſaw two centuries ago, from meer dint of genius and a profound knowledge of the national intereſt, tho' perceptible by only a few in the courſe of the two ſucceeding ages; and the parliament, offended at the part he took in the affair of their half-yearly ſeſſions, dared to look upon this great man as a ſlave of the court, and promoter of deſpotiſm. They proclaimed him as ſuch to the whole nation, and from that

time never desisted from persecuting him. Some of our historians, and almost all our magistrates, are still the echoes of these unworthy suspicions. Blind and fickle nation! Has it ever given an opinion with justice, or known when it ought to love or hate? Has it ever formed a system, a plan, or even a wish, that has been attended with any consequence? Has it ever attempted to improve its condition? Though made to inherit every virtue, does it not seem as if intended by nature for slavery and error?

L'Hospital would have comforted himself for the insults offered to him by ignorance and calumny, if the public had profited; but he very soon had reason to repent of the share he took in the edict for the half-yearly sessions. To find the means of paying the additional salaries to the judges, the ministers were obliged to have recourse to the detestable method of creating and selling new employments; and after all, the money was not applied to that purpose, and they were obliged to impose new taxes. The people complained; the minds of men were irritated; the parliament continued to protest; the government, tho' without steadiness, wanted as usual to be absolute, but was obliged to yield, and in three years the whole was restored to its former

mer ſituation. Amidſt the ſubverſion of parliaments, a plan of gratuitous juſtice was revived for a time, but it was guided by a ſpirit of hatred, intrigue, and inability, and therefore could not be more ſucceſsful. Mankind are ſo guided by habit, and ſo accuſtomed to judge from events, that theſe two fruitleſs attempts have made them almoſt univerſally conclude the ſale of juſtice to be a neceſſary evil.

L'Hoſpital had been already ſix years at the head of the finances, and ſaw himſelf ſurrounded with nothing but vice and diſaſters. The diſtractions of the court, the anarchy which prevailed in adminiſtration, diviſions at home, the army defeated abroad, the diſgraceful battle of St. Quentin, and the more diſgraceful peace of Chateau-Cambreſis; all theſe public calamities ſeemed to affect him perſonally, and alternately to oppreſs his mind with the keeneſt ſorrow.

At the acceſſion of Francis II. to the throne*, he taſted one moment of hope and conſolation. Olivier was recalled from his exile, and reſtored to the exerciſe of his employment; but this revolution did not long continue to afford him ſatisfaction. Olivier was no longer any thing but the ſhadow of himſelf. Whether old age,

or

* July 1559.

or the dread of new diſgrace had weakened the powers of his mind, or that it is the fate of almoſt all men who are reſtored to diſtinguiſhed employments by the voice of the public, to appear but of indifferent abilities, becauſe the diſlike ſhewn to their ſucceſſors has raiſed them too high in the opinions of the people during their diſgrace; and the ſanguine expectation of the public has preſumed too much on their abilities; during the few months he ſurvived his recal, he was only the inſtrument of the family of Guiſe. He thought himſelf indebted to them for his return, and did not ſufficiently conſider, that the ſervant of the public has not always a right to diſplay his gratitude, and that he ought no leſs to forget benefits than injuries.

The admiſſion of l'Hoſpital into the council, could not cloſe this new wound in his heart: he ſaw the public affairs growing daily more and more deſperate; a King, only ſeventeen years old, whom time neither promiſed to inform nor improve, and of courſe, a reign which threatened to be more unfortunate than a minority, becauſe a weak king is in fact a minor, and that kind of minority never ends but in the tomb. In this ſituation, Margaret de Valois, his friend and benefactreſs, who by the peace of Chateau-Cam-

Cambreſis became the wife of the Duke of Savoy, appointed him her chancellor. Though this employment was inferior to that which he then held, and his career was greatly circumſcribed, he did not heſitate to accept it, and followed the Ducheſs, caſting, like Eneas, a ſorrowful look towards his native country, devoured by flames which he could not extinguiſh. Let us take a curſory view of the cauſe which kindled this dreadful flame.

Francis II. was only a crowned phantom; his mother and the Guiſes reigning in his ſtead. She had in her favour, the rights of a mother, a habit acquired from education, and the influence which muſt naturally follow from her conſtantly beſetting the King: the Guiſes counterbalanced that interior credit, by means of their niece, Mary Queen of Scotland; they were likewiſe ſuperior to Medicis, in genius and abilities, having guided the helm of all public affairs in the reign of Henry II. they were members of the privy council, held the chief offices of ſtate, each of them of great ability in his way, and all of them joining for one purpoſe, which was, to ſet the kingdom in a flame, that they might get the whole power into their own hands; in a word, it was they that gave motion to the whole: even Medicis was obliged to give way

way to their ſuperior abilities; ſo true it is, that amidſt the diſturbances of a ſtate, the moſt daring are always ſure to govern.

The ſyſtem of the family of Guiſe, handed down from father to ſon, procured them power under three kings, and raiſed them almoſt to the throne under a fourth, was to foment religious quarrels, and to ſet themſelves up as leaders of the Catholic party. Never did ambition form a better digeſted plan, or one more ſteadily ſupported. By it, they ſecured two thirds of the nation, the Parliaments, the Clergy, the Sorbonne, and all thoſe bodies of men whoſe exaggerated opinions are readily communicated when they aſſemble in numbers, and the ſpirit of party and fanaticiſm prevails with greater force: they likewiſe cauſed the King of Navarre, and his brother the Prince of Condé, who were the only princes of the blood at that time, and had embraced Calviniſm, to be ſuſpected at court, and removed from all ſhare in the adminiſtration. In a word, they ruled the reigning family, becauſe it is eaſy to intimidate weak kings by threatening them with the loſs of their power, and to govern them by promiſes of ſupport.

It was they that rekindled the perſecutions againſt the Proteſtants, which were begun by Fran-

Francis I. and who revived the famous edict of Eſcouan, which decreed that all Calviniſts ſhould be put to death, and was regiſtered by the parliament without the leaſt modification. It was they, who, in conſequence of this edict, cauſed Counſellor Dubourg to be burned, whoſe death ſerved as a ſignal to begin the diſturbances with which revenge and a ſpirit of rebellion inſtantly overſpread the kingdom. By way of repriſal, the proteſtants put to death ſome catholic magiſtrates at Orleans and Toulouſe, and then framed the conſpiracy of Amboiſe, which was diſcovered at the very moment when it was going to be put in execution. Medicis and her ſon were ſeized with terror, they imagined they were ſurrounded by conſpirators, they ſuſpected both the Prince of Condé and the King of Navarre, and threw themſelves into the hands of the Guiſes. The Duke was made lieutenant-general of the kingdom for the ſecond time; and then the priſons were filled, ſcaffolds were erected, Amboiſe run with ſtreams of blood; the ſentences paſſed on moſt of the victims were either unjuſt, or too rigorous, and all of them extrajudicial. Olivier wiſhed to reſtore clemency, moderation and the forms of law; but he was not attended to, and died with vexation. A ſtriking exam-

ple of paſſive virtue expiating its weakneſs by the pangs of remorſe.

It was neceſſary that a ſucceſſor to Olivier ſhould be appointed; and the Guiſes propoſed Morvilliers, Biſhop of Orleans, but he would not accept. Medicis then named l'Hoſpital, who was recommended to her by the Ducheſs of Montpenſier. This lady was ſecretly a proteſtant, and knew the tolerating ſpirit of l'Hoſpital. Medicis had another purpoſe; being jealous of the power of the Guiſes, ſhe thought l'Hoſpital a proper perſon to adviſe her, and to ſerve as a counterpoiſe to their influence. Thus in courts even a good choice is the effect of intrigue and perſonal combinations.

Here we find l'Hoſpital entering an immenſe field, worthy to employ his abilities; for the chancellor, who in our days is reduced to the empty title of head of the law, was at that time the leader of adminiſtration. Except the finances there were no ſeparate departments. The ſecretaries of ſtate, who are at preſent ſo powerful, almoſt ſovereigns in their own department, were at that time of little conſequence. They were called ſecretaries of the finances, and formerly, clerks of ſecreſy, were ſworn before the chancellor, and under his inſpection. L'Aubépine and

Bo-

Bochetel were the firſt who begun to dignify their employments by aſſuming the title of Secretary of State, at the end of the reign of Henry II. and by taking the oaths in the preſence of the king. The king only held a kind of council, which was called the *Privy Council*, where the chancellor preſided. From thence, all affairs of ſtate, to which he is now a ſtranger, were handled in his preſence, and the report was made by him. Whether it was owing to the duty of his office, or becauſe ſuperior abilities neceſſarily take the management of all affairs with which they have any connection, when an inventory of the papers of the Chancellor de l'Hoſpital was taken by order of the King, the minutes, papers and originals of all the treaties which had been concluded for two centuries were then found. All thoſe which related to the negotiations with England were written with his own hand; but it was not the great extent of the duties of the office, which rendered it difficult at the time of l'Hoſpital's nomination, but the wretched ſtate of the times, the diſorder in public affairs, and more particularly the abominable court with which he was engaged.

Immediately upon his arrival, l'Hoſpital found himſelf in a moſt critical ſituation. The

Guiſes ſtill purſuing their purpoſe, by ſome new edicts added to the ſeverity of that of Eſcouan, encouraging informations againſt the proteſtants, and promiſing the half of their property to the informers. This was no longer to confine their attacks againſt the open exerciſe of Calviniſm, but to ſearch into conſciences, and employ the moſt ſhameful vices which degrade the human heart, avarice and calumny.

A project ſtill more fatal, was ſet in motion, at the ſame time, by the Cardinal de Lorraine, of which he had got the idea from Granvelle the Spaniſh miniſter, who like himſelf was a Prieſt and Cardinal; it was to eſtabliſh the tribunal of the inquiſition in France. All the members of the council were already gained over, Medicis had given her promiſe, and the King had no will of his own. The Cardinal de Lorraine got himſelf appointed chief of that dreadful tribunal, by the title of Grand Inquiſitor. He was at once Archbiſhop of Lyons, Rheims and Narbonne, Biſhop of Metz, Toul, Verdun, Terouane, Luçon, Alby, Valence, Abbé of Fecamp, Gorze, Cluny, Marmoutier, and poſſeſſed of a number of other benefices, ſo that he might well be ſtyled, as the Italians called him

him at the Council of Trent, *the tramontane Pope.*

L'Hoſpital ſaw that it would be in vain to oppoſe this project directly, he therefore choſe to elude it, for he had not that fault which commonly accompanies ſpirited characters. He could yield and ſoften matters, when it was the way to accompliſh his purpoſe. To reject all at this time, would have ruined every thing; he therefore deceived the Cardinal by propoſing the Romorantin edict to the Council, and carried it in ſpite of all oppoſition. All the puniſhments inflicted upon the Proteſtants were revived by this edict, but ſentence was to be paſſed by the Biſhops within the limits of their own dioceſe. L'Hoſpital very well knew, that though the clergy had authority to determine whether a doctrine was heretical or orthodox, they were totally incompetent to judge of ſectaries: he foreſaw that the parliament would oppoſe this edict, and that his arrangement could not take place; but he accompliſhed his purpoſe, he gained time, and engaged the Biſhops of France themſelves to reject the eſtabliſhment of the inquiſition: ſo that, without either violence, or ſeeming to make any effort, he deſtroyed the Cardinal's project.

Every

Every thing happened as he expected, but his conduct continued for ſome time an enigma to the people, and it was not till they knew what had paſſed, that they were ſenſible of its propriety. Such is the fate of miniſters, in whom virtue and abilities are united: they do not labour for the praiſe of the preſent moment. Their thoughts are fixed, and their courage animated, by the uncertain, and almoſt always tardy reſults, which procure the happineſs and approbation of ages which they can never ſee. Let us then, who enjoy the fruits of his wiſdom, bleſs the memory of l'Hoſpital! If we think freely; if the ſpirit of toleration has healed the wounds made by fanaticiſm; if philoſophy begins to find its way to the throne; if we are not like Spain and Portugal, a couple of centuries behind the reſt of Europe in knowledge and underſtanding; if we are not ſo unhappy as to linger out a painful life in the horrors of a dungeon, like Benavidez; it is to l'Hoſpital we are indebted.

This dreadful blow being warded off, l'Hoſpital's attention was directed to prevent others. He formed for himſelf, a body of learned virtuous men; Marillac Archbiſhop of Vienne, Montluc Biſhop of Valence, with ſome other prelates, a number of theologians, and magiſtrates

ſtrates of the different parliaments: thus was ſeen, for once, a league of worthy people, a ſort of confederacy, which unfortunately is too rare and paſſive, while thoſe of the wicked, are active and conſtant. He very ſoon ſpoke a language in council, to which they were not accuſtomed; he talked of toleration; he propoſed the convocation of the States General, and holding a national ſynod, the firſt to remedy the diſorders in ſtate affairs, the other to reform church diſcipline, and pacify religious diſputes. The Guiſes warmly oppoſed the meeting of the States General, and repreſented them to the King as a dangerous aſſembly: they told him, that he would there ſee his dignity affronted, his rights uſurped, and, inſtead of ſovereign authority, he muſt dwindle into the ſubaltern rank of chief magiſtrate. At the word authority, which always ſounds ſo flatteringly in the ears of even the weakeſt princes, Francis declared in favour of the opinion of the Guiſes: but l'Hoſpital was not to be ſo repulſed; he employed the influence of Medicis, and by her means procured the convocation of an aſſembly of the great men and principal magiſtrates of the kingdom, at Fontainebleau*.

L'Hoſpital gained a compleat triumph at this meeting. The buſineſs of the convocation, and

* Auguſt 1560.

and that of the national council, was determined by the majority of voices. It was his eloquence, and that of Montluc and Marillac, which gained the opinions of the members. They choſe the ſubjects which each of them were to handle. The Chancellor drew a picture of the general ſtate of the nation; after that, Montluc entered into the particulars, he ſpoke of the abuſes of the church, the licentiouſneſs of the clergy, eſtabliſhed his maxims of toleration, and loudly demanded that perſecution might be ſtopped. Marillac explained the nature and authority of the aſſembly of the States General: he ſaid, "That it was a tribunal inſtituted for the purpoſe of hearing the complaints of the nation, as other tribunals were to hear thoſe of individuals: that the founders of the French monarchy had reſerved only this place, where they ſhared with the King, the power which they had placed in his hands, and where they reſumed a kind of equality, which was neceſſary, to repair the injuries done to the people by the prince: and where the ſovereign authority, with which they had cloathed him, could not debar them from negotiating with him, and concluding treaties equally binding on both parties." The Guiſes fruitleſly attempted to change the diſpoſition of the aſ-

ſembly;

ſembly; the Cardinal de Lorraine loudly exclaimed againſt the ſeditious temper of the Calviniſts, and repreſented the neceſſity of admitting only one religion in a monarchy, and the inutility of the aſſembly of the States General; but his ſpeech was not attended to, and he and his brother quitted the aſſembly in ſilent rage.

L'Hoſpital immediately publiſhed an edict, to call a meeting of the States General, to aſſemble a national council, and to ſuperſede the perſecution of the proteſtants; he went to the parliament to cauſe it to be regiſtered, where he addreſſed them in a ſpeech which was a recapitulation of what had been ſaid by himſelf, Montluc and Marillac, at Fontainebleau; and immediately put in force the plan of toleration, which had been adopted by government: he gave orders that Desjardins, a judge of the *ſhort robe*, who had been deprived of his employment on ſuſpicion of hereſy, ſhould be reſtored without enquiry. The parliament oppoſing his maxims, and more offended at the zeal with which the Chancellor expreſſed himſelf, obeyed with murmurs. L'Hoſpital purſued his plan, and wrote into the Provinces to exhort the people to ſend no deputies to the meeting of the States *but men* (ſo did he expreſs himſelf in his

letter) *who by their virtue and courage were worthy of having a place in that auguſt aſſembly, in whoſe hands the will of the nation was depoſited.*

While the prudence of l'Hoſpital was endeavouring to reſtore peace and good order, the ambition of the Guiſes was employed to overturn all his projects. They firſt procured the meeting of the States to be transferred to Orleans, as they alledged that Meaux was filled with Calviniſts. In the next place they collected troops, on pretence of giving the king a guard ſuitable to his dignity on that ſolemn occaſion. Their agents were ſpread all over the kingdom, to prevent any but the moſt bigotted catholics from being choſen deputies. The imprudence of the proteſtants very ſoon afforded them new pretences, for whatever may be our deteſtation of perſecutors, we muſt allow that the proteſtants had alſo their fanatics, and in proportion as their ſituation improved, their audacity revived, and their pretenſions increaſed. In ſome parts of the kingdom they were perſuaded that the day was come when they were to triumph over their enemies; they aſſembled openly, came armed to their places of worſhip, and attempted to ſeize ſeveral towns. The King of Navarre and the Prince de Condé promoted theſe diſturbances,

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and the Guiſes had proofs of it, which they produced. The Queen and her ſon were again terrified. The Prince de Condé and the King of Navarre were ordered to court, and upon their arrival were arreſted. The affair of the conſpiracy at Amboiſe was recollected. There were only ſuſpicions againſt the King of Navarre, but they had evidence againſt the Prince de Condé, ſo that they only placed a guard upon the perſon of the former, but the Prince was treated like a criminal, he was brought to his trial, and ſentence of death pronounced againſt him. There was an attempt made to colour the proceedings with an appearance of juſtice. He was tried by a commiſſion, though by the laws he could not be tried but by the parliament and the peers. The Guiſes imagined that they could have the decree ſigned by the great officers of the crown and principal magiſtrates, of whom three only refuſed, and of theſe the Chancellor was the firſt.

This was but a trivial ſtroke among the many which made up the plan of the Guiſes. They dared to propoſe to Francis, to ſend for the King of Navarre into his cloſet, with an intention of having him aſſaſſinated, by guards planted in ſecret for that purpoſe. Francis was to have given the ſignal himſelf: he had promiſed,

but his courage failing, he wavered, turned pale, and ſuffered the King of Navarre to eſcape. How many weak princes like Francis, have only wanted one degree of more heat in their blood to become tyrants? By a very extraordinary deſtiny, this crime which was adviſed without ſucceſs by the duke of Guiſe, was executed upon his own ſon at Blois, and with the ſame circumſtances. At the time the two princes ſhould have been ſtruck with the double cataſtrophe, a profeſſion of faith, conformable to the opinions of the Romiſh church, was ſent to the chief members of all the orders of the State. L'Hoſpital had already received it for the judges, the Queen was to cauſe her ladies to ſign it, the King all the lords of the court, and the governors of provinces all the proteſtants; and whoever refuſed to ſign, was to be executed without any other trial. This project was almoſt as bad as the horrors of Saint Bartholomew, and perhaps not leſs deteſtable becauſe of its not being accompliſhed.

Amidſt the dreadful ſcenes which were preparing, the illneſs with which Francis II. was ſeized, grew worſe, and was ſoon thought mortal; the day, the hour, the minute was expected. The court being then at Orleans, the States aſſembled. It would require the pen of a Tacitus

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to deſcribe the univerſal agitation of the minds of the people: they went and came in continual hurry, ſome in gloomy ſilence, others elevated with hope and joy; every quarter of the kingdom was filled with intrigues, cabals and private meetings. The factions already exiſting were employed in taking meaſures for their ſecurity, while new ones were forming daily. The worthleſs looked for ſtill greater diſturbances, the good for times leſs unhappy: wiſe people trembled at the thoughts of an infant king, a minority, or what threatened the ſame exceſſes, the power being ready to fall into the hand of one of the parties.

In the mean time, the Guiſes employed the whole powers of their genius to ſtrike a deciſive ſtroke. They had an audience of Medicis, with an intention of perſuading her to put the decree againſt the Prince de Condé into execution, and aſſaſſinate the King of Navarre. They preſſed, threatened and intimidated her; they told her, ſhe might take the advantage of the King's being in a dying condition to wreſt that order from him, and the odium that muſt accompany it, would follow him to the grave: unleſs this neceſſary blow was ſtruck, ſhe could not expect the regency, or her ſon ſcarce hope for the crown. Medicis was ſtaggered; ſhe

deſired to have an hour to conſider, and in the mean time ſent for l'Hoſpital; he found her drowned in tears, either from her not being as yet ſo confirmed in vice as ſhe was afterwards, or that in women, the boldeſt tempers cannot entirely ſhake off the natural timidity of the ſex. She acquainted him with her fears, her perplexities, and the dreadful ſituation to which ſhe was reduced. L'Hoſpital encouraged her, reaſoned with her, and led her to join in his ſentiments. He at firſt ſecured the two princes from any attempt being made upon their lives. He repreſented the Guiſes as diſturbers of the public peace and the enemies of her family; the King of Navarre as a prince without abilities or character, from whom ſhe had nothing to fear; the Prince de Condé as the chief ſupport of the proteſtants, but as an open honeſt man whom ſhe could eaſily attach to her intereſt. "Remove "the Guiſes," ſaid he, "and keep well with the "others, but do not truſt your power to either, "becauſe from ambition, imbecility or party-"ſpirit they are all to be dreaded. To ſuch "conduct if you add a deſire of peace and tole-"ration, I promiſe you a laſting and happy re-"gency." Medicis embraced l'Hoſpital, calling him her father and her preſerver. That ſame night ſhe ſent for the King of Navarre, and

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entered into an agreement with him, by which he renounced all claim to the regency, and was ſatisfied with the title of Lieutenant General of the kingdom under her. Next day the King died*. Medicis aſſumed the reins of government, cauſed the Prince de Condé to be releaſed, his condemnation to be reverſed, and for ſome time kept the Guiſes at a diſtance: but hurried away by her levity and irreſolute temper, by that ſpirit of intrigue and duplicity which never forſook her, ſhe very ſoon was reconciled to them, flattered them, and revived the diſputes of the two parties, whom ſhe alternately deceived, and rekindling the civil wars, immerſed the kingdom in blood.

L'Hoſpital had great expectation from the States, and therefore propoſed that they ſhould be aſſembled†. He deſcanted upon their origin, dignity and power, the neceſſity of their being frequently convoked, the impoſſibility of the princes being made acquainted with the wants of the ſtate if he did not conſult them in perſon, and the meanneſs of ſuch courtiers as dared to inſpire the King with a dread of any bad conſequence from his ſubjects being once more united. "Kings," ſaid he, "by hold-

* 5th December 1560. † 13th December 1560.

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" ing the Aſſemblies of the States, hear the " voice of truth, which is concealed from them " by their ſervants. The generality of princes " ſee only with other peoples eyes, and judge in " nothing for themſelves, ſubmitting to be led " when they ought to be the leaders. What is " the reaſon, that ſome good kings, who have " diſtruſted thoſe who were employed about " their perſons, have diſguiſed themſelves, and " ſecretly mixed with the people, but that they " might come at the truth, with a deſign to " correct what is amiſs? Louis XII. did ſo, and " no king was ever injured by this familiarity. " The laſt of the race of Pharamond, like the " Aſſyrian kings, ſhewed themſelves to their " ſubjects but once a year; both of them were " deſpiſed by the people, and loſt their king- " doms. The cuſtom of not letting themſelves " be ſeen by the people, or holding any com- " munication with them, is barbarous, and they " who are of a different opinion, are the accom- " plices of tyranny." Such was the free, temperate and conciſe eloquence of l'Hoſpital, wonderfully adapted to the energy of our old language. He next enlarged upon the ſtate of affairs, the religion, the laws and finances: he ſet forth his favourite principles of peace and toleration: inſtructed the deputies of the three orders in their

their conduct, and concluded with entreating them to ſpeak their opinions with freedom and courage.

This excellent diſcourſe ſeemed for a moment to have inſpired the minds of the Aſſembly, with the ſpirit and views of the Chancellor: they confirmed the Queen Mother in the regency, and appointed commiſſioners to examine the ſtate of the finances. L'Hoſpital cauſed a declaration to be publiſhed in the King's name*, to reſtore the liberty and property of all who were confined on an accuſation of being Calviniſts. The ſame declaration denounced capital puniſhment againſt whoever ſhould diſturb the public tranquility on religious pretences. The Guiſes were ſilent and creſt-fallen. If Catharine had continued to follow none but the counſels of l'Hoſpital, the kingdom would perhaps have been reſtored to tranquility.

L'Hoſpital found, that a more poſitive, minute and ſolemn law was wanted, to prevent a renewal of the public diſturbances; which, if ratified by the nation, would become a law of the ſtate, he therefore prepared it, and diſpoſed the minds of the people for its reception. But Medicis had already changed her plan;

* January 1561.

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* January 1561.

ſhe was afraid of engaging too deeply in favour of the proteſtants, and was reconciled to the Guiſes: ſhe wanted only a pretence for diſſolving the meeting of the States, as their proceedings and enquiries gave umbrage to her authority; and the diviſions, intrigues and diſturbances, which are inſeparable from numerous aſſemblies when they are not actuated by worthy motives, very ſoon afforded her an opportunity. The States broke up, with a promiſe that they ſhould be aſſembled next year; and l'Hoſpital had ſcarce time to publiſh his famous ordinance, known by the name of *the States of Orleans:* an ordinance replete with prudent and uſeful intentions, and ſerving at preſent as the foundation of our juriſprudence; but, conſidering the ſtate of affairs, very inſufficient, and greatly inferior to what l'Hoſpital had projected.

The great number of incidents, the variety and complication of the intrigues of theſe tempeſtuous times, compel us, againſt our inclination, to quit the ſubject, and to attach ourſelves ſolely to l'Hoſpital. The States being diſſolved, he was without any ſupport, while he was oppoſed by his implacable enemies, the Guiſes (who were become more powerful than ever), by the parliaments, the clergy, and the greateſt

greateſt part of the nation: but his plan, his character, the momentary influence which his courage obtained for him over the mind of Medicis, with the ſenſe he had of his duty, and the quiet of his conſcience, were what remained to him, and enabled him to encounter every obſtacle. He publiſhed a new declaration*, by which the King's ſubjects were forbidden to inſult one another with the odious appellations of Hugonots and Papiſts: this declaration likewiſe prohibited the ſearching of houſes; but gave leave to all who were baniſhed or fugitives on account of their religious ſentiments, to return to to the kingdom, provided they lived like good Catholics, or without ſcandal; and permitted all who were not willing to remain upon theſe terms, to ſell their property and retire elſewhere. In the next place, he concerted a plan, with the Biſhop of Valence, which was, to perſuade Medicis to write a letter to Pius IV. wherein ſhe repreſented, that the multitude of proteſtants was become ſo great in the kingdom, that the ſeverity of the law could no longer be put in force againſt them; that as they were not diſtinguiſhed by name or opinion, as in Germany, they had the means of being

* April 1561.

more united; that princes, nobles, magiſtrates and people, flocked in crowds after the new ſect; that as things were ſituated, there were no means left to be taken but to receive them into the communion of the church, by which a ſchiſm would be prevented, and a poſſibility of re-uniting the Greek and Latin churches prepared; that at the ſame time it was neceſſary to reform the church diſcipline, to render the rites more ſimple, to aboliſh images and proceſſions, to grant the communion in both kinds, and to reſtore the prayers in the vulgar tongue that they might be underſtood by thoſe who offered them. By this letter, which expreſſed his opinions, l'Hoſpital flattered himſelf that the Pope would be intimidated, and from the dread of loſing every thing, be prevailed with to reconcile all diſputes.

L'Hoſpital at the ſame time ſtruck a blow which touched the clergy in a more ſenſible part, by making an attempt upon their riches, which they held more dear than their opinions. The States met again at St. Germain's, and were chiefly employed in recovering the exhauſted finances. They propoſed impoſts, loans, the ſale of employments, and all the ruinous inventions of tyranny for the accumulation of money. L'Hoſpital alone undertook the cauſe

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of the people, and inſiſted that the clergy ſhould contribute. He ordered letters patent to be made out, obliging all who held benefices to give in a declaration of their poſſeſſions in three months, under pain of having their temporalities ſeized. The clergy, the parliament, and the Cardinal de Lorraine remonſtrated. L'Hoſpital would not hearken to them, and the time being expired he ordered the ſeizure to be made. This vigorous meaſure was followed by laying a tax of ſixteen millions upon their revenues, which redoubling their clamour and oppoſition, l'Hoſpital anſwered, that the King would ſeize their poſſeſſions, and alienate them for the good of his other ſubjects. The clergy obeyed, but the injury was deeply engraven upon their hearts.

In a ſhort time the famous conference of Poiſſy was held. It was a ſort of national council in whoſe preſence the theologians of both parties were to contend. The King, the Queen Mother, the Princes, the whole court, ſix cardinals, thirty-ſix biſhops, and a great number of doctors were preſent. This conference was procured by the Cardinal de Lorraine, who was proud of his abilities and eloquence, and depending chiefly upon his having long ſtudied ſcholaſtic theology, hoped to confound the Calviniſt

Calviniſt miniſters, and from that victory to gain abſolute authority in the affairs of government. L'Hoſpital did not object to the conference, and always expected to effect a reconciliation between the two parties. Undoubtedly it was chimerical in him, but it was the chimera of a philoſpher and patriot. It was he that opened the buſineſs of the conference*. The time was come, he ſaid, when they ought to endeavour to put an end to the cauſe of the diſtractions of the nation, which was what could not be expected from a general council compoſed of foreigners, who were but little acquainted with the evils under which the ſtate laboured, and perhaps intereſted to prevent a cure. Such an important buſineſs could not be attempted but by a national council; that is to ſay, an aſſembly of brothers, friends and relations, where the king, who is the chief, and ought to be their common father, was to preſide. But we will give a part of what he ſaid, in his own words; their ſimplicity being greatly ſuperior to modern refinement: they reſemble thoſe maſterpieces of antiquity which a ſacrilegious zeal ought not to try to repair, becauſe they can only be injured by the attempt.

* September 1561.

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" To derive ſuch eminent benefits from this " aſſembly, the biſhops and doctors ought to " be animated with the ſame diſpoſition, to " promote the common good of the faithful. " They ought to be humble; he who poſſeſſes " much knowledge ſhould not deſpiſe him who " hath leſs, nor he that has leſs be induced to " envy him who hath more. Let us avoid all " ſubtil queſtions; let us reject thoſe that are " only curious; let us imitate that ſimple pious " perſon, who, profeſſing that he knew nothing " but the myſtery of the croſs, confounded the " doctors who were aſſembled at the council of " Nice. Let us not be ſo prejudiced againſt " the Calviniſts, as not to examine ſtrictly by " the Old and New Teſtament, whether they are " right or wrong. After all, if they are wrong, " their miſtaken opinions do not make them leſs " our brethren. They worſhip the ſame God; " they were baptized with the ſame water; and " it muſt be by gentleneſs that they are to be " brought back to the communion of the church. " Alexander, the Patriarch of Alexandria, drove " Arius, the prieſt of his church, to deſpair, " by treating him with too great ſeverity. Ne- " ſtorius would have abjured his errors, if " he had not been perſecuted. The Biſhops " are to be judges in their own cauſe, let them " there-

" therefore agree in their ſentence with the " greater care, for if it is agreeable to the goſ- " pel, it will ſubſiſt in ſpite of human malice; " but if it is not, it will periſh of itſelf, however, " it may be ſupported by the ſchemes of go- " vernment." This was extraordinary language to be ſpoken in an aſſembly of ignorant fanatics, and of courſe his ſpeech raiſed the whole body of the clergy againſt him. Cardinal de Tournon complained of it to the Queen: the Pope accuſed him of hereſy, and propoſed to ſummon him before the inquiſition. The aſſembly acted in direct oppoſition to what he recommended; they did not enquire into the abuſes of the Romiſh church, but plunged themſelves into theological diſputes, and the inexplicable doctrines of the Euchariſt. Both parties were groſsly abuſive. The Jeſuit Lainez ſaid, that the proteſtants were apes and foxes, and deſerved even in this world to be devoted to the flames. The proteſtants called in queſtion the ordination of biſhops, and accuſed them of ſimony. They imagined that by nominating five deputies on each ſide, they would more probably conciliate matters, but they did not come to a better underſtanding. The catholics wanted before they went farther, that the proteſtants ſhould adopt their profeſſion of faith on the ſubject of the real preſence,

preſence, which being rejected, the conference was broken off. Each party, as is always the caſe after fruitleſs controverſies, claimed the victory, and their minds were more irritated againſt each other.

Such fermentations could not fail to produce a ſtorm, and it was advancing with a haſty pace. Condé came to the conference at the head of two thouſand horſe, and theſe were the guards by which the proteſtant miniſters were eſcorted; and Guiſe was ſurrounded by a crowd of gentlemen. They lodged at the two extremities of Poiſſy; the proteſtant ſervice was performed at the one, and maſs ſaid at the other. From a dread of their coming to blows, Medicis brought about a ſort of accommodation. This reconciliation was made before the King, in preſence of all the court. The King aſked them, what was the ſubject of their quarrel? The Prince complained of having been unjuſtly arreſted; the Duke ſaid, he was neither the author nor adviſer of it. "Whoever had any hand "in it is a villain," replied Condé. "So ſay "I," anſwered Guiſe, "but that does not af-"fect me." Upon which the King ordered them to embrace, and loaded each of them with marks of complaiſance and diſtinction. Such a ſcene, was more likely to irritate than to recon-

cile them; but Catharine's views never extended farther than the preſent moment; the verſatility of her thoughts prevented her from looking forward. She flattered and deceived both parties. Her conduct in all affairs and to all perſons, was a continued ſcene of duplicity. She regularly attended the public proceſſions, and received the proteſtant miniſters in private. She promiſed the Cardinal de Lorraine, that if he came victorious from the conference of Poiſſy, ſhe would deſtroy the ſectaries; and ſhe flattered Chatillon with the hope, that if the Catholic doctors were defeated ſhe would embrace Calviniſm; while at the ſame time ſhe promiſed l'Hoſpital, that ſhe would follow his advice: that is to ſay, that after every means of reconciliation had been exhauſted, ſhe would employ the King's authority to eſtabliſh peace and toleration.

In this ſituation, new obſtacles were every day thrown in the way of l'Hoſpital. The Pope alarmed at what was paſſing in France, ſent thither his nephew, the Cardinal Ferrare, with the character of Legate. Beſides the boundleſs pretenſions of that dignity, the Prelate was furniſhed with powers, which in ſeveral points infringed the ordinances of the States of Orleans and the liberties of the Gallican church. L'Hoſpital

pital oppoſed the grant of letters patent in confirmation of them, and when Catharine ordered them to be made out, refuſed to ſeal them till he received an expreſs order from the King. This was ſtirring up one enemy more; but l'Hoſpital only dreaded the intrigues of the Legate would affect the public good. His apprehenſions were ſoon juſtified, for it was the Legate who encouraged the Spaniſh correſpondence in France, who paved the way for the Duke of Alva's negotiation, who emboldened the Guiſes, and determined the King of Navarre to abjure Calviniſm.

When this ſtep of the King of Navarre was made public, the intolerance of the Catholics knew no more bounds. He was firſt prince of the blood, and lieutenant general of the kingdom. "Since he abandons this cauſe," ſaid the Catholics, "he therefore acknowledges it "to be the cauſe of error and rebellion." This paſſed from mouth to mouth, and the ſpirit of fanaticiſm and perſecution was revived. At firſt they did not attack the proteſtants with arms, but by ſecret and underhand methods. They did not ſhed their blood, but drew their tears: they were inſulted in public; grievance after grievance was heaped upon them; and they were oppreſſed in the courts. L'Hoſpital ſaw that all hopes of reconciliation were vaniſhed,

The only reſource left, was by a deciſive law to protect one part of the nation againſt the fury of the other. With this view, he perſuaded Medicis to convene, at St. Germain, an aſſembly of the principal men of the nation, and ſummon to it deputies from all the parliaments; in that meeting he ſpoke with ſuch energy that he prevailed on them to paſs the famous edict of January 1562; an act, wiſe, moderate and impartial, which while it granted to the Calviniſts the free exerciſe of their religion, obliged them to pay reſpect to the eſtabliſhment, and obſerve the laws. The ſpirit of this edict was far different from that of the ſanguinary laws which he had found eſtabliſhed, at his acceſſion to the miniſtry, yet it paſſed by a plurality of voices, ſuch influence began l'Hoſpital to have in guiding the opinions; but the aſſembly conſiſted only of a ſmall number, the bulk of the nation was ſtill fanatic. Deputies are always ſelect men, and ſuſceptible of good impreſſions; but the whole body of the magiſtrates remained attached to their ancient principles, and unanimouſly refuſed to regiſter the edict. Injunction after injunction was neceſſary, to oblige them to it. The parliament of Paris acted on this occaſion with the greateſt obſtinacy, and added this modification, *that it yielded*

to the ſovereign and to the neceſſity of the times. This was deſtroying the force of the edict at the very time it was publiſhed, declaring themſelves parties when the law made them judges, and proclaiming protection to all who ſhould infringe it.

However the firſt months after the publication of the edict paſſed in tranquility. L'Hoſpital had taken every precaution which prudence could ſuggeſt. He had cauſed an ordinance to be paſſed, obliging the biſhops to reſide in their dioceſes, under pain of confiſcation of their temporalities; and in the ſame manner obliged to reſidence all the governors of provinces, and magiſtrates. He was aſſiduous in making the proteſtants ſtrictly obſerve the edict, and without delay reſtore the churches and poſſeſſions of which they had deprived the clergy. He had employed ſuch of their own preachers as had the greateſt influence over them to make them ſenſible of the important favour they had juſt received, and engage them in return for it to ſhew themſelves affectionate and peaceable ſubjects. But all theſe meaſures were broken by the ambition of the Guiſes; they firſt entered into a negotiation with the German Princes; and artfully taking advantage of the hatred which the Lutherans bore to the Calviniſts, and giving hopes

hopes of introducing the confeſſion of Augſbourg into France, prevailed upon the former to refuſe all aſſiſtance to Calvin's followers in that kingdom. Having nothing to apprehend from that quarter which had given them the greateſt uneaſineſs, ſecure of Spain, Savoy, and the court of Rome, and underhand maſters of all the parliaments; it was now the proper time to throw off the maſk. They diſpatched emiſſaries into all the Provinces; and the pulpits were filled with preachers of ſedition. The univerſity preſented a requeſt to the parliament, filled with violent invectives againſt the proteſtants, and the Chancellor, who was repreſented in it as their leader. The Duke of Guiſe on his return from Germany, paſſing through Vaſſy*, ſome of his train gave out that they were inſulted by the proteſtants, and maſſacred five hundred of them, after which the Duke purſued his journey, and entered Paris amidſt the acclamations of the people. The news of the maſſacre of Vaſſy being quickly ſpread over the kingdom, and even magnified by report; univerſal confuſion enſued; both parties were inflamed, and had recourſe to arms. L'Hoſpital procured an order from the King, enjoining the Duke of Guiſe and the Prince de Condé to quit Paris. They

* March 1562.

obeyed,

obeyed, but the Duke having privately collected a body of twelve hundred horſe, marched to Fontainebleau, where the King and Queen, and the whole court then reſided, and brought them back to the capital; his power was then uncontrouled; the council, which conſiſted of the King of Navarre, St. André, and Montmorenci, was entirely at his devotion; the Chancellor ſtood ſingle in the oppoſition, loudly cenſured his conduct, openly attacked him, and endeavoured to thwart all his meaſures; *What buſineſs have you in a council where we are to decide on the management of the war*, ſaid Montmorenci one day to him in a rage? *It is your trade to carry it on*, replied l'Hoſpital, *but it is my buſineſs to determine on the expediency of making it*. It was already kindled in all quarters. The Prince de Condé had ſurpriſed Orleans. L'Hoſpital was excluded from the council; every law quitted it with him, and the dæmon of war ſucceeded to the genius of peace.

Let us a take a view of l'Hoſpital's ſituation while the nation was thus torn by inteſtine diviſions. He had foreſeen all thoſe horrors, and in vain ſtriven to prevent them. Every day, every moment brought him afflicting news. The ſucceſſes and the misfortunes of both parties were equally piercing to his heart. Every mind

mind was ſeized with the delirium peculiar to fanaticiſm. From the Seine to the Pyrenees was one continued ſcene of blood, fire and devaſtation; the judges quitted the bench to put on armour. The parliament paſſed *arrets*, authoriſing the deſtruction of the proteſtants; and theſe made repriſals. In Provence, they had for their chief, one Des Adrets, whoſe very name cannot be pronounced without execration. It was a war of executioners againſt executioners.

At laſt, after a year of murders and ravages, their madneſs began to abate: not from a mitigation of hatred, but through wearineſs. The two parties had loſt their principal leaders. The King of Navarre had been killed at Rouen, Condé and Montmorenci taken at the battle of Dreux, and Guiſe had a ſhort time before been aſſaſſinated at Orleans*. L'Hoſpital ſeized the favourable moment, like a pilot who has been forced to quit the helm, and reſumes it when he ſees the ſlighteſt prognoſtic of a calm; he quitted his retirement in the country, and prevailed upon Medicis to propoſe terms of accommodation to the Prince of Condé. This ſtep might be taken, without any degradation to the dignity of the crown; for the Prince was

* February 1563.

was a priſoner, and the arms of the catholics victorious. For that reaſon l'Hoſpital hoped that the peace would be more ſolid: It was accordingly concluded*. One of its articles was the ratification of the edict of January, with ſome amendments. The parliaments murmuring and again making remonſtrances, l'Hoſpital replied, That it was the King's pleaſure the edict of pacification ſhould be executed without examination, all the ſanguinary *arrets*, paſſed in their tribunals during the war, be repealed, and from thenceforth, no confeſſion of faith required from the candidates for offices. The parliament of Paris had made the laſt mentioned regulation, and had carried their animoſity to ſuch a pitch, as to declare all of their body who were convicted of Calviniſm unworthy of holding their offices, which were thereby vacated. Thus they arrogated to themſelves the right of removing the members of parliament, which they diſpute with the crown: ſo abſurd and unjuſt a paſſion is unbridled fanaticiſm!

Though peace was concluded, diſcord was ſtill awake; the kingdom reſembled a ſea lately vexed by a ſtorm. The minds of the people

* 19th March 1563.

continued in that ſtate of turbulence and diſquiet, which is the inſeparable attendant of ſo many acts of cruelty, reciprocal injuries, and mutual ſuſpicions. In this conjuncture, l'Hoſpital looked upon a foreign war, as a method to give vent to the reſtleſs ſpirit of the nation, reconcile the two parties, and by pointing out to them a common enemy, the natural enemy of the ſtate, make them ſenſible of the folly of ſlaughtering each other. The views of his policy were ſtill more profound, he meant to make foreign powers deſpair of forming a party in the nation by taking advantage of its inteſtine diviſions, and ſhew them that connections, formed in a time of public madneſs and faction, left no veſtige behind them as ſoon as peace permitted the national intereſt to be attended to. He therefore propoſed and carried in council, a war againſt England. Its foundation was juſt; as Elizabeth, during the troubles, had taken poſſeſſion of Havre, which ſhe declared that ſhe would not give up unleſs upon condition of the reſtitution of Calais. Henry II. at the taking of that place, had promiſed to reſtore it to the Engliſh, if they committed no hoſtilities againſt France before the expiration of ſix years, but having broken the convention, they had cancelled their own right. L'Hoſpital

pital deteſted war, but he was a ſtateſman, and the firſt emotions of his heart were regulated by his reflections in that capacity. He was ſenſible that war is an unavoidable ſcourge; becauſe men, eſpecially thoſe in power, are neceſſarily ſubject to paſſions. He knew how important for a nation, are the preſervation of all her rights without the leaſt diminution, the ſelf-eſteem raiſed in her ſubjects, and the reſpect inſpired into her neighbours by the government. Hence he thought a paſſive ſyſtem of policy reſtricted to the calculations of the preſent moment, unſuitable to a great ſtate, which ought, at the price of a war, to maintain poſſeſſion of all its advantages, whether real or only putative, and even meet it half way, when by ſucceſs it can better ſecure its repoſe, or the proſperity of future generations.

Certainly the theory of our preſent miniſters is of a different kind. They behold with patience the nation crouching beneath the load of its ancient injuries. They reckon as nothing the reſtoration of ſpirit to our minds and honour to our arms; Havre is not now in the hands of the Engliſh as in the days of l'Hoſpital; but Dunkirk is a much more ſtriking monument of our diſgrace. A Deputy of that haughty nation commands there with all the

pride of republican inſolence; like the Roman ambaſſador who drew a circle round Antiochus on the ſand, at the ſame time pronouncing to him thoſe dreadful words, "You ſhall not come "out of this circle] till you have given me "an anſwer," this man declares to us every day, "You ſhall not raiſe one of theſe ſtones upon "another with impunity." O l'Hoſpital, l'Hoſpital! Thou wert a magiſtrate and a philoſopher, and thou wouldſt have called forth the whole ſtrength of the kingdom to wipe out this intolerable affront. 'Tis before thy manes that I accuſe thoſe guilty miniſters. They profeſs to be pacific, and they are only weak. Their deſire is not to preſerve the tranquility of the nation, but their own places; they feel their activity diſproportionate to ſo quick movements, and their character too weak to bear the ſhock of important conjunctures.

The ſiege of Havre was reſolved, but money was wanting, and every method for raiſing it exhauſted; in this exigency l'Hoſpital again had recourſe to the clergy, and cauſed letters to be iſſued under the great ſeal for the alienation of church-lands, to the value of a hundred thouſand gold crowns yearly rent. The clergy and parliament were immediately rouſed, and remonſtrated that the poſſeſſions of the church could

could not be alienated. *Havre is in the hands of of the enemies*, replied l'Hoſpital, *and the poſſeſſions of the church belong to the ſtate.* It was neceſſary that the edict ſhould be rigidly executed, and the clergy ſometime after repurchaſed the alienated lands.

Havre ſurrendered after a ſiege of eight days, and the catholics and proteſtants vied with one another in performing the moſt aſtoniſhing feats of valour. The King and Queen-mother repaired to the army in order to enjoy this triumph, which was really that of l'Hoſpital. "See," ſaid he, "the effects of that peace of "which ſome have the effrontery to complain, "can the Engliſh now diſtinguiſh the catholics "from the proteſtants? They find only French-"men before them."

After the taking of Havre, l'Hoſpital was the perſon who concluded the peace with Elizabeth's ambaſſadors. The negotiation was difficult, for that Princeſs inſiſted upon the reſtitution of Calais, alledging, that if ſhe had taken poſſeſſion of Havre, it was at the requeſt of a Prince of the blood, and a part of the nation; that France had in like manner ſent ſuccours to the Scots during their war with her; and that thus the wrongs being mutual, they ought to balance each other; ſhe afterwards artfully inſinuated

nuated that her future conduct, with reſpect to the Calviniſts, would depend upon the treatment which ſhe received from France on this occaſion; and made them ſenſible how neceſſary it would be to keep well with her in caſe of new diſturbances. This demand was debated in council, and the inſinuation with which it was cloſed, had nearly united all the ſuffrages in its favour. The whole attention was turned upon the advantage of depriving the Calviniſts of ſo powerful an ally, and to gain that, the reſtitution of Havre was not thought too dear a price. In this emergency l'Hoſpital ſhewed himſelf a real patriot, and in a ſtriking manner refuted the calumny of having ſacrificed the intereſts of the ſtate to thoſe of the Calviniſts, by ſingly oppoſing the reſtitution of Havre. He obſerved that no conſideration ought to prevail with them to leave a foot of ground within the kingdom in poſſeſſion of the Engliſh; that if they found means to foment diſturbances in it when ſeparated by an arm of the ſea, it was furniſhing them with more dangerous and eaſy methods to effect their purpoſe; that Heaven had favoured the French by permitting the Engliſh to forfeit their right of repoſſeſſing a place which had impolitically been confirmed to them by Henry II. and that every poſſible advantage ought to be taken

taken of the fault they had committed. Theſe reaſons were unanſwerable, and brought back the council to his opinion. Upon this baſis he negotiated, and in his anſwers ſhewed at the ſame time ſuch firmneſs, and ſo great indifference with regard to the part Elizabeth might afterwards take, that after many debates the treaty was ſigned at Troyes. By it France preſerved Havre and Calais, and the Engliſh ſtill kept up their pretenſions; l'Hoſpital adopted this expedient from a foreſight of what has ſince happened, that the claim being indefinite would become obſolete and fall to nothing.

At the ſame time that l'Hoſpital was endeavouring to make peace with foreign nations, he laboured to ſecure it at home. With this view he prevailed upon Medicis to cauſe her ſon to be declared Major, which ceremony was performed at the Parliament of Rouen, while the Court was returning from Havre. Charles had not quite the age fixed by law; for he was only entering his fourteenth year; but at this time l'Hoſpital conſidered neceſſity and the public good, as ſuperior to the formalities of the law. He hoped by this means to deſtroy the power of the factions, and ſtrengthen the government. Charles, in the edict, by which he declared himſelf Major, enjoined a ſtrict obſervation of the

the edict of pacification. The parliament of Paris, at firſt remonſtrated againſt the declaration of the King's majority as illegal, becauſe he was not yet of a proper age, and in the next place, againſt two things: one of which, more directly affected its pretenſions, and the other, its fanaticiſm. The firſt was the verification of the edict of majority by the parliament of Rouen, antecedently to that of Paris; the ſecond, thoſe ſentiments of toleration which it contained. Charles, by the direction of l'Hoſpital, anſwered with firmneſs, that he had publiſhed the edict declaring himſelf major in the place where he then happened to be, and where the neceſſity of affairs required his preſence; that what the parliament called ſentiments of *toleration* were ſentiments of *juſtice*; that he forbid them from thenceforth to meddle in affairs of ſtate, and would free them from the old error by which they were led to believe themſelves *tutors of the kings, and guardians of the kingdom.*

Scarce had l'Hoſpital diſpelled one ſtorm when another was raiſed. The council of Trent being then aſſembled, Du Ferrier and Lanſac the French ambaſſadors were ordered to preſent to it a memorial ſigned by the King and his Council, for the reformation of the abuſes

in

in the Church. This memorial, which was drawn up by l'Hoſpital, recapitulated the ſame reaſons, and inſiſted on the ſame changes as the letter which he had cauſed the Queen Regent to write to the Pope two years before; it is to be regretted that we cannot here inſert the ſubſtance of it. Had it not been rejected, the principal abuſes in the Romiſh church would have been reformed, and there would have been but one ſtep requiſite for a reconciliation of the two religions. Du Ferrier, who was a man of abilities and reſolution, a friend of de l'Hoſpital's, and entirely of his ſentiments, was confident of ſucceſs; he had intimidated the Pope, the Biſhops of Spain had joined him with a few modifications which reſpected the peculiar conſtitution of their country, and ſeveral Italian prelates wavered. But the Cardinal of Lorraine appeared in the council, and by his intrigues ſoon changed the face of affairs: he had his private views: the whole plan for the aggrandizement of his family was built upon a renewal of the diſturbances; he therefore declared againſt a reformation which led to a poſſibility of union. The Pope perceived his aim and ſeduced him; the Spaniſh Biſhops were reſtrained by the authority of their king, and the French were gained over by the hackney'd but effectual me-

thod of the promiſe of a few hats. Thus, inſtead of ſeconding the ſteps taken by Du Ferrier, all joined in oppoſing him; his memorial was thrown out, and he had no other reſource left but to proteſt in his maſter's name againſt all the decrees of the council.

The court of Rome now freed from every reſtraint, ventured to ſummon the Queen of Navarre to appear in perſon to juſtify herſelf from the charge of Calviniſm, under pain of being degraded and her dominions put under an interdict, and ordered the inquiſition to proceed againſt ſix French biſhops ſuſpected of hereſy, at the head of whom were Marillac and Montluc. Theſe two fanatical proclamations were fixed up the ſame day in all the quarters of Rome. L'Hoſpital cauſed notice to be given to the Pope, that the King was reſolved to recal all the French biſhops from the council, and added ſome inſinuations of a nature ſtill more alarming. This firmneſs put a ſtop to thoſe extravagant proceedings, though the Pope had the audacity to make a merit of it as a ſacrifice, and inſiſt in return on the acceptance of the decrees of the council, and the Cardinal promiſed to procure an act of the King's council for that purpoſe on his return to France. At the ſame time, Charles received ambaſſadors from the King

King of Spain and the Duke of Savoy, inviting him to a general meeting of all the catholic princes in Europe at Nancy, in order to ſwear to the obſervation of the decrees of the council, and concert meaſures for the deſtruction of the ſectaries. L'Hoſpital had never before met with attacks from ſo many quarters at the ſame time, but he repulſed them all, and prevailed on the King to reply to the ambaſſadors that he thanked their maſters for their advice, but that thoſe given at a diſtance were ſometimes directly contrary to what were ſuggeſted on the ſpot by the conjunctures; that he could not attend the meeting at Nancy, but that he was determined during life to adhere to the ancient religion, and uſe his utmoſt endeavours to make his people one day obſerve the ſame law. The queſtion of receiving the decrees of Trent being next brought before the council, and the affirmative ſupported by the Cardinal of Lorraine with all his native impetuoſity, l'Hoſpital roſe in oppoſition and remonſtrated that the decrees of the council were deſtructive to the liberties of the Gallican church; that they freed the clergy from the obedience due to the King and his courts, and ſubjected them only to the tribunal of Rome; that by this means they became a diſtinct body a thouſand times more dangerous

than the proteſtants, becauſe theſe in the moſt dreadful convulſions of the ſtate had never denied the authority of the king nor of the laws, whereas the clergy were on the point of being erected into a legal power with a peculiar mode of diſcipline, a ſeparate ſyſtem of juriſprudence, and diſtinct revenues, under a foreign head, and conſequently no longer making a part of the nation; that with this increaſe of power to the court of Rome, obtained not, as had hitherto been the caſe, by tacit uſurpation, but by the free conſent of the ſovereigns, her ambition would break through all bounds; of which there had been a recent proof in the inſolent attempt againſt the Queen of Navarre; that the rich donations and the imprudent renunciation of the right of electing the popes made by the kings of the ſecond race, were already ſufficiently felt, and that the memorial preſented to the council of Trent had been thrown out in conſequence of intrigues, the author of which was well known; that at leaſt the few remaining privileges ought to be defended to the laſt gaſp, and that the King could not without tarniſhing his own honour, tranſmit to his ſucceſſors a crown leſs independant and leſs free than that which he had received from his anceſtors.

Then

Then turning to the Cardinal of Lorraine, he added, that the principal articles of thoſe decrees bearing the abſolute condemnation of Calviniſm, and encouraging its deſtruction, to receive them would be attempting to rekindle the civil war; that it was amazing ſuch advice ſhould proceed from him when his brother's blood was ſtill ſmoking, and if he had forgot, that he might caſt his eyes on ſo many families in mourning, and the deſolation of ſo many provinces. Perhaps, concluded he, the man who with ſuch boldneſs and inſenſibility requires us to plunge again into a civil war, would change his ſtyle were he obliged to decide it ſword in hand. The geſture, the look, the voice of l'Hoſpital were ſuited to this dreadful apoſtrophé. His ſoul habitually calm and ſerene, had, like an irreſiſtible torrent burſt its banks. The Cardinal, on his ſide, kept no meaſures, the lie was given and returned, and they proceeded to perſonal invectives. This ſcene recals the memory of that between Cicero and Cataline in the Roman ſenate, and its event was the ſame; the cauſe of virtue triumphed, l'Hoſpital gained all the voices, and it was determined that none of the decrees of the council ſhould be received except thoſe which concerned articles of faith.

Mean

Mean time the government of Charles, notwithſtanding the declaration of his majority, continued equally weak and inconſiſtent. Medicis had ſpoiled his infancy and ſhe corrupted his youth. He was at that critical age when the paſſions begin to unfold, and according to the direction they receive are ready to produce the fruits of virtue or vice. Medicis watched them with the ſtricteſt attention, for the ſole purpoſe of governing him by their help. Can we without execration figure to ourſelves a mother with tranſports of joy diſcovering the defects of her ſon! She ſees him naturally weak and timid, and ſhe enfeebles him ſtill more; inſpires him with an averſion from buſineſs and diſtruſt of himſelf. Inſtils into his mind the prejudices of ſuperſtition, and eradicates from it all the principles of morality; fills his heart with alarms concerning the loyalty of his ſubjects, and ſuſpicions of the integrity of every perſon about him. He ſhewed an inclination for women, and ſhe herſelf fanned the fire of his firſt paſſions; ſhe laid ſnares for him on every ſide, and covered them with flowers; every day ſhe invented new diverſions to diſtract his attention; but they were not running at the ring, tournaments, or ſports proper for giving him a reliſh for an active and military life; the

fatal

fatal death of Henry II. and the feigned tears ſhe ſhed at the remembrance of him had baniſhed theſe from court, and in their ſtead were introduced banquets, dances, and maſquerades, where the ladies of the court, particularly thoſe whom ſhe diſtinguiſhed by the name of *her flock*, appeared half naked, and with every ſeducing charm which art could add to beauty.

It was thus ſhe had captivated the King of Navarre, and ſhe uſed the ſame method to enſlave the Prince of Condé by throwing into his arms the beautiful Lemeuil. L'Hoſpital ſaw the unfortunate Charles dragged into the gulf, and attempted to reſcue him. Of all the miniſters he alone dared to ſpeak to the young monarch of buſineſs, and make him feel the importance of applying to it. He ſpoke to him on that ſubject before Medicis, he even addreſſed himſelf to her; and ſuch is the aſcendant of intrepid virtue, that ſhe ſometimes bluſhed and found herſelf obliged to ſecond his advice. It was on one of thoſe occaſions, when l'Hoſpital had drawn her off from her natural bent, that he dictated to her a letter too little noticed by hiſtorians; a ſublime compoſition in which ſhe exhorts her ſon to turn his whole attention to the buſineſs of government, by ſetting before him the example and daily practice of Louis XII.

a letter

a letter at once worthy of a mother like Blanche of Caſtile, and a præceptor like Fenelon. We regret not having it in our power to enrich our text with the whole, but we cannot reſiſt the temptation of quoting ſome paſſages from it in our notes*. May chance or rather the pious intention of ſome virtuous man one day lay it before our young ſovereign!

* My ſon, after having ſpoken of the regulation of the court, and the order neceſſary to be eſtabliſhed in your kingdom, it ſeems to me that one of the moſt eſſential requiſites to procure the love of your ſubjects, is, to make them ſenſible that in every thing you have their intereſt at heart, not only thoſe that are about your perſon but thoſe who are at a diſtance: I ſay this, becauſe you have ſeen how diſaffected perſons have malignantly propagated an opinion that you are indifferent in what light they behold you, and that it is diſagreeable to you to ſee them.

For this reaſon I entreat, that from henceforth you never paſs a day (chooſing ſuch an hour as may be moſt convenient) without ſeeing the diſpatches from whatever quarter they come, and take the trouble of giving audience to all who are ſent to you. And if the affairs be of ſuch a nature that the council can manage them for you, ſend them to it, and make it a ſtanding order for the Chancellor when any affair of ſtate is to be determined, that before the maſters of requeſts enter the council he ſpend an hour in examining the diſpatches, afterwards admit the maſters, and follow the advice of the majority. This was the form obſerved during the reigns of your grandfather and father by the Conſtable and thoſe who aſſiſted at the ſaid council.

L'Hoſpital

L'Hoſpital did not ſtop there; as a laſt effort he reſolved to put the heart and underſtanding

As to the other affairs which depend only upon your own will, after having, as aboveſaid, given them a careful hearing, order the ſecretaries to draw up the diſpatches and anſwers according to your pleaſure; and next morning, before you ſee any thing new, cauſe them to be read over to you and ſent off without delay. By this method you will not only prevent all inconvenience in the tranſaction of buſineſs, but your ſubjects will be ſenſible of your care of them, and that it is your deſire to be well and readily ſerved. Thus will they become more diligent and attentive, and perceive clearly your zeal for the preſervation of the ſtate and your care for the diſpatch of buſineſs. When any perſons come to court from the provinces, whether they have offices immediately from yourſelf or from others, take the trouble of converſing with them; put queſtions to them concerning their employment, and if they have none, talk of the place from whence they come, that they may ſee you want to inform yourſelf of what paſſes in your kingdom; and to treat them with courteſy, not ſpeak to them only once, and ſay a few words when you ſee them in your anti-chamber, or elſewhere. This conduct I have ſeen practiced by your father and grandfather, and they even carried it ſo far as to enquire about the families of thoſe they converſed with, provided they could find no other ſubject, only for the ſake of ſaying ſomething and ſhewing that they were pleaſed with ſeeing them. By this means you will convince all your ſubjects of the falſehood of thoſe lying reports ſpread to give them wrong notions of you, and you will be loved and honoured; for on their return home they will make

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of Charles to a trial, and for this purpoſe propoſed to him a tour through all the provinces

the truth known, and the villainy of thoſe who have ſtriven to injure you will be made manifeſt.

Your grandfather, Louis XII. had a cuſtom which I earneſtly wiſh you to adopt, in order to free yourſelf from the importunities and ſolicitations of the court, and ſhew your ſubjects that wealth and honours are beſtowed by you alone, which will make you be better ſerved, and increaſe your popularity. He ordinarily carried in his pocket a liſt of all who bore offices under him, near or remote, great or ſmall, in a word of whatever quality; he likewiſe kept another liſt of all offices, benefices and other things in his gift, and ordered one or two of the principal officers in every province, that whatever vacancies or eſcheats happened, confiſcations were made, or fines levied, he ſhould be immediately informed of them by letters, which were not to be put into the hands of the ſecretaries or any perſon but himſelf; and that the ſecret ſhould be inviolably kept. Upon the receipt of theſe letters, he immediately took his liſts and comparing the names in the one with the value of the offices in the other, beſtowed them upon whomſoever he thought proper, and this intirely without the knowledge of the perſon, who had the firſt news of his promotion by a diſpatch made up with the King's own hand. If any of the courtiers accidentally received intelligence after him and came to ſolicit, they met with a denial; for his majeſty, in order to free himſelf from importunity, never granted any thing to petitioners; and the perſons who ſerved him without leaving their employments and coming to intrigue for preferment at court (often at a greater expence than

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of the kingdom. Catharine at firſt made objections, but yielded at laſt on condition of accompanying him in the journey. This was what l'Hoſpital dreaded, he wanted to make the King travel without attendants, without pomp, and without a court: but what could he oppoſe to the wiſhes of a mother and a ſon unwilling to part? Notwithſtanding this pernicious train, the Chancellor did not deſpair. In fact, how inſtructive a leſſon for a great prince is a journey through his dominions; and what can be the reaſon that it is not made the finiſhing ſtroke, the key-ſtone in the education of all monarchs! What a vaſt field of duties is preſented to him, by the view of infinite numbers whoſe happineſs, peace, and lives are entruſted to his care! If his heart is penetrable, muſt it not palpitate, muſt it not be fired at the ſight! and if his ſoul

the value of the office they endeavoured to obtain), never failed of meeting with a proper recompence. This made him better ſerved than any monarch that ever reigned; for his officers acknowledged no other patron, nor paid their court to any perſon but him; and I pray to God that you may imitate his example; for if you act otherwiſe, and liſten to petitions and other inventions of the ſame kind, be aſſured that the gift will not be looked upon as coming from you.

Mem. de Caſtelnau.

be endowed by nature with any powers, any ſtrength, any activity, how irreſiſtibly muſt they then be called forth! What thoughts, what reflexions muſt every moment riſe! What truths muſt ſtrike him of which he never dreamed, amid the deceitful illuſions of the court! Such at leaſt in part were the happy effects l'Hoſpital expected this journey to produce in the mind of Charles.

He perſuaded the King to take his route thro' Champagne, Burgundy, Dauphiné, Provence, Languedoc, and Guienne, and return through the heart of the kingdom to Moulins, where the States, by his advice, were ſummoned to meet the year following; he prevailed on him to travel by ſhort journies, and ſtop ſome time in the principal towns, to receive all petitions, liſten to all complaints, and in each province hold what St. Louis uſed to call his *great days*. The beginning of the journey ſeemed to anſwer his hopes. He fixed the King's attention on the dreadful marks of the late diſturbances; ſhewed him the lands uncultivated, the villages in aſhes, and pointed out the languiſhing ſtate and thinneſs of population. The ſight of thoſe horrid ſcenes was deſigned to inſpire him with a love of toleration and peace. Sometimes the Chancellor made him obſerve the gloomy ſilence

lence of numberleſs wretches, looking back with anguiſh and forward with fear: at others endeavoured to rouſe his tender affections, by the ſight of a people endowed with goodneſs and ſenſibility of heart, who indulged their hopes when they beheld their king, and thought themſelves at the dawn of brighter days. Now and then he had the pleaſure of obſerving the eyes of Charles moiſtened with tears, and bleſſed heaven for it, as the moſt pleaſing reward of all his labours.

But as the poiſonous mildew blaſts the moſt promiſing crops before they ripen, ſo did the malignant Catharine ſoon deſtroy the good diſpoſitions which l'Hoſpital implanted in the heart of the King. The firſt ſtop that he made in Burgundy, ſhe changed the whole plan which had been concerted. Pomp was ſubſtituted for ſimplicity, the court was ſent for, and brought with it every embarraſſment, every vice. Charles had a miſtreſs, Mary Touchet, daughter of the lieutenant-general of Orleans, and Medicis herſelf brought this woman in her train. Nothing was to be ſeen but ſplendid entries, magnificent entertainments and diverſions. The provinces, already ruined, were ſqueezed to the laſt drop, in order to ſupply thoſe expences. Triumphal arches were erected while the cottages

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lay in ruins. Amidſt an affectation of joy and concord, every heart was filled with anguiſh, every eye with tears. Medicis diſtributed money among the populace to make them receive her ſon with acclamations. Thus filled with illuſions, the unhappy Charles only ſaw his people through the falſe medium of brilliant preparations and the confuſion of his court. Wretchedneſs and truth were hid from his eyes, and even l'Hoſpital could no longer make his way through the threefold wall of women, courtiers and lacqueys.

Theſe mortifications, far from making him deſiſt, redoubled his zeal and activity. At Troyes he put the laſt hand to the treaty with England. At Lyons he cauſed an edict * to be publiſhed, enjoining the immediate demolition of all the fortifications erected on account of the late diſturbances. "The ancient enemies of "the nation" (ſaid he, in the preamble to the edict) "have been driven back beyond the ſeas, "and the whole body of the ſubjects may now "follow their buſineſs in ſecurity without any "other defence but the protection of the laws." By the ſame edict the Calviniſts were prohibited from holding ſynods and levying contributions

* Auguſt 6th 1564.

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in money upon any pretence whatſoever. It likewiſe enjoined the gentlemen of that perſuaſion not to admit any but their own vaſſals to their worſhip. L'Hoſpital had read mankind, and knew, that to put them into a ferment nothing more was requiſite than to collect them into a body. From the ſame views, next year, at the States of Moulins, he prohibited the catholics from joining in any manner of fraternity, congregation or other ſociety, under pretence of religion. The Calviniſts murmured at the edict of Lyons as an infraction of the peace, but l'Hoſpital paid no attention to their complaints. His aim was to ſecure their lives and properties from injury, but at the ſame time he took prudent meaſures indirectly to undermine their too great power, that they might not be able to form a diſtinct body in the ſtate, and from being perſecuted turn perſecutors.

At Rouſillon in Dauphiné * he cauſed another edict to be publiſhed, containing many additions to, and explanations of the ordinances of the States of Orleans. He ſtrictly examined into the abuſes of all the tribunals, reproved the magiſtrates, and eſtabliſhed regulations according to the peculiar wants of each city and

* Auguſt 9th 1564.

province.

province. The parliament of Bourdeaux muſt ſtill remember the ſevere ſpeech he made to them, of which we ſhall give in our notes ſome paſſages that at once ſhew the frankneſs of a Bayard, and the inflexible rectitude of a Cato *.

* The King is come into this country, gentlemen, not, as is ſaid by ſome, only to ſee the world, but to perform the duty of a good father of a family; to know how you live at home, and inform himſelf and his ſervants of the ſtate of affairs; he has made enquiry concerning his people, and the adminiſtration of juſtice, and he has found many faults in this parliament, which being the laſt eſtabliſhed (for it is only of a hundred and two years ſtanding), you have leſs excuſe for departing from the original ordinances, and yet ye are as corrupt, perhaps more ſo, than thoſe of the moſt ancient date. There are among you many men of worth, but their opinions are not followed; the voices are not weighed but counted. In a word, you are an ill governed houſe.——Ye are accuſed of many acts of violence. Ye threaten people with giving ſentence againſt them, and many are ſcandalized with the manner in which you tranſact your affairs, particularly with your marriages. When you know of a rich heireſs, ſhe is for Mr. Counſellor, and notwithſtanding the inhibitions, ye ſtrike up the match. There are ſome among you who during the late troubles made themſelves captains, others were commiſſaries of proviſions. There are ſome who take money for giving a hearing, and when they are reproached with it, their anſwer is, *That things are much worſe at court, and that the great robbers are there.* We know it well, but what is ill there

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The late diſturbances having given the governors of the Provinces an opportunity of extending their ancient authority beyond due bounds or uſurping new prerogatives, he paſſed an edict to regulate and reſtrain them *. He likewiſe checked the violences and oppreſſions which, under favour of the ſame diſturbances, the great lords exerciſed upon their vaſſals, and brought before the privy council the Marquis de Trans, the Queen's favourite, and one of the moſt guilty. This nobleman burſting out into a laugh in the middle of the reprimand given

is no better here.—Ye ſequeſtrate the fortunes of what ſuitors you pleaſe; and even thus ye are ſeldom richer at the year's end, for what is got by villainy is ſquandered by luxury. Ye lend money on uſury to traders; why do ye not throw off your gowns, and turn traders entirely? With ambition you are all well furniſhed: but be ambitious of virtue, and nothing elſe. There are likewiſe among you gameſters, idlers, who do not appear in court once in half a year, ſome not once in a whole year. Formerly a Counſellor in Paris who had neglected his duty only three days, was ſuſpended from his office. In a word, Gentlemen, this is the houſe of the King, the court of his juſtice; make it in fact ſo, and diſcharge his conſcience.—If you do not your duty, it will ſoon fall to ruin, which will fill me with the deepeſt affliction, for I am a member of your body.

Mem. & harangues imp. chez Pierre Chevalier.

* Edict of November 1564.

him by the Chancellor: "How! do you laugh," cried the magiſtrate, "inſtead of ſhewing marks "of ſorrow and putting on looks of contrition? "Take care that with your buffoonery I do not "make you loſe your head. Boldly thank the "Queen, for you ſhould have it this moment, "and even now I know not what prevents me." *Thus went matters*, ſays Brantome, who recounts this fact, *under that rough judge and rigid cenſor.*

Mean time, new calamities were ready to break out, and Medicis in the midſt of pleaſures was projecting another civil war. She had taken the King to Bayonne under pretence of an interview with his ſiſter Elizabeth, Queen of Spain; but in fact, in order to negotiate with the Duke of Alva, who accompanied her. That man, who ruled with uncontrouled dominion in Spain, and whoſe vigorous character gave him every where an abſolute ſway; that man, who from his cruelties and great talents may be compared to Sylla, was educated in the principles of monarchy, that is of perſecution and deſpotiſm. He had already planned the deſtruction of the proteſtants in the Netherlands, to execute which he was on his way thither with a body of troops. But in order to ſecure the ſucceſs of his ſcheme it was neceſſary that they ſhould likewiſe be exterminated in France; and to effect this was the

object

object of his negotiations, to which none were privy but Medicis and himſelf. He begun with inſinuating himſelf into her good opinion, by extolling her abilities, the things ſhe had already done, and thoſe ſhe was capable of doing. He then expreſſed his concern for the little authority ſhe enjoyed, her unhappy ſituation in being obliged to court the heads of the party, and the falſe ſyſtem of peace and toleration which ſhe had been obliged to adopt. He firſt hinted at l'Hoſpital, and at laſt named him as the author of this pernicious ſcheme, repreſented him as an ambitious man, and a proteſtant in diſguiſe, who had hitherto concealed under the veil of patriotic ſentiments, ſteps taken ſolely with a view to make his religion triumphant. He added, that ſhe tarniſhed her glory by tolerating a ſect which from principle and intereſt was an enemy to the royal authority; that the power of the Calviniſts, which ſeemed a coloſſus, was a phantom without ſtrength; that nothing more was requiſite than for them to underſtand each other and ſtrike their blows in concert; and that the King of Spain was ready to ſupply her with what money and troops ſhe wanted. He concluded with ſuggeſting to her the ſcheme of deſtroying, at a ſingle ſtroke, all

the leaders of the proteſtant party, by collecting them into one place.

Theſe advices flattered all Catharine's paſſions, her vanity, her ambition, and her love of diſcord. Beſides, the plan was new, and in every thing novelty had always irreſiſtible charms for Medicis; ſhe therefore entered into engagements with the Duke. The Cardinal of Lorraine and the Nuncio were called to this ſanguinary council. They were both already in the ſecret, for the court of Spain had been ſet in motion by their intrigues. Meaſures were taken and troops raiſed under pretence that the Duke of Alva, leading a reinforcement into the Low Countries, it was neceſſary for France likewiſe to arm. It was reſolved to take advantage of the Aſſembly of the States being held at Moulins, and to carry off or maſſacre the leaders of the proteſtants. But Catharine, who was not yet ſo compleatly miſtreſs of her paſſions as ſhe was afterwards, on the feſtival of St. Bartholomew, diſcovered her deſigns by ſeveral acts of imprudence. She openly careſſed the young Duke of Guiſe, and behaved haughtily to the Prince of Condé. The alarm was ſpread among the Calviniſt party; and its leaders, inſtead of going to Moulins, held private meetings, negotiated for ſuccours from the German Princes, and armed

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in all parts of the kingdom. L'Hoſpital alarmed at thoſe movements, fruitleſsly endeavoured to draw from Medicis the ſecret of her plot. He preſſed, he queſtioned, he ſtrove; but he met only with evaſions and aſſurances; in a word, he was deceived, and again applied himſelf in the States General to the neceſſary arrangements for the maintenance of peace and juſtice; he paſſed the ordinance of *the domaines*, and another of greater importance known by the name of the *States of Moulins*. This was labouring to repair the roof of a building while the flames were undermining its foundations, and they ſoon broke out on every ſide. The Prince of Condé, in his turn, aimed the blow that had been ſtruck by the Duke of Guiſe at the beginning of the firſt civil war, and at the head of twelve hundred gentlemen attempted to carry off the King and all his court to Meaux. But the Swiſs took the Sovereign under their protection, and conducted him in the midſt of their battalions to Paris. It was a ſtrange ſight to behold a King of France a fugitive in his own dominions, attacked by his nobility and defended by foreign mercenaries.

However, the war was ſcarce rekindled when Medicis again fell into her uſual inconſiſtencies, and ſeemed to wiſh for peace. She deputed l'Hoſpital

l'Hoſpital and Morvilliers to the Prince of Condé; but the ſpirits were too much provoked; blood was neceſſary to appeaſe them. The battle of St. Denis was fought, in which each party claim'd the victory: on both ſides towns were gained and loſt, defeats were given and received. The only evident reſult was the deſolation of the kingdom, and the calamity of the people. L'Hoſpital ſtill inſiſted upon an accommodation. One day he determined Catharine to agree to it, and the next ſhe was drawn off by contrary advice. While mens minds were thus divided, l'Hoſpital in full council made a ſpeech, of which the following paſſages would be ſufficient to give a man the reputation of a great orator and a great miniſter.

" Who are thoſe enemies" ſaid he, " whom " ſome people affect to deſpiſe? they are not a " mad, diſorderly, undiſciplined rabble, deſtitute " of leaders. They are men inured to war, of " dauntleſs courage, formed to obedience and " diſcipline by deſpair and neceſſity, who repoſe " entire confidence in their chiefs, and thoſe " chiefs are ſtrictly united among themſelves. " On the contrary, the royal army is filled with " factions and diſcord. In it reign boundleſs " ambition, avarice, and unbridled licentiouſ-

" neſs;

" neſs; diſcipline is corrupted, and inclinations
" are divided.

" But it is objected, Shall the King then
" pardon rebels? Rebels! the word is eaſily
" ſaid. What is their principal crime? Their
" opinions are different from ours. But they
" believe them to be true, and never did hu-
" man juſtice inflict puniſhment for involuntary
" offences. When we examine matters cloſely,
" I know not if there be any man ſo perfect,
" who, when reduced to the ſame extremities,
" would not eagerly embrace every means of
" ſelf-preſervation. It is this that has put arms
" into their hands; for the ſchemes laid for
" their deſtruction were conducted with ſo little
" ſecreſy, the averſion was ſo evident, the ha-
" tred ſo apparent, the threats of repealing the
" edict of pacification, and publiſhing the de-
" crees of the Council, ſo open, that they muſt
" have been totally void of penetration or even
" common ſenſe not to have perceived what
" was aimed at, and would have well deſerved
" to ſuffer the tortures prepared for them if
" they had not taken meaſures to parry the blow.
" Is there a law more inviolable than that which
" nature dictates to every individual, that to de-
" fend his life and liberty againſt oppreſſion is
" not only lawful, but it is juſt, it is equitable, it

" is a ſacred duty? This law is not taught to " mankind, it is engraven by the finger of God, " on the heart of every creature. I will not " pretend to excuſe them in all things, but I " think them rather objects of pity than of ha- " tred.

" In the laſt place it is added, Shall the king " then be obliged to capitulate with his ſub- " jects? If the king gave up any portion of " his right and authority, I would only reply, " how much of it ought he not to give up if " the ſafety of the ſtate requires it? The " moment it becomes an obſtacle to the public " weal, and prejudicial to the kingdom, it " ceaſes to be right. But is it capitulating, to " promiſe only that the king ſhall continue to be " their ſovereign, and they ſhall remain his " ſubjects, that he ſhall preſcribe to them laws, " and impoſe on them pains and penalties in " caſe of tranſgreſſion, that he ſhall diſarm " them, and levy taxes on them? Did the " king deprive us of our liberty, we ſhould be " ſlaves; he would be a tyrant, and not a law- " ful prince. Hence then, ye peſts, who with " hoſtile and bloody intentions, endeavour to " corrupt the undeſigning native goodneſs of " the ſovereign. Such people do the crown " bad ſervice. If the king is offended, let him

pardon

" pardon the offence for the ſake of the repub-
" lic, and ſhe will return the favour with uſury.

" I know that this will be thought rough
" language. I might have uſed a ſofter ſtile,
" but neceſſity has wrung thoſe words from my
" heart, and obliges me to prefer diſagreeable
" truths, to the ſoothing voice of flattery."

With this manly reaſoning and energetic elo-quence did l'Hoſpital once more triumph over the enemies of peace, and determine Catharine* to reſtore to the proteſtants the privileges granted them by the edict of January. But this peace was only a ſuſpenſion of arms. The two parties retained their diſtruſt, and ſecretly kept up their troops. Catharine ſoon reſumed her former projects, and l'Hoſpital's enemies did not fail to inſinuate that he had adviſed an accommodation only to preſerve the Calviniſts, who were on the brink of deſtruction; and perſuaded her that he was a proteſtant in his heart. They heaped conjectures on conjectures, proofs upon proofs. His wife, his daughter, his ſon in law, it is true, were Calviniſts, but did it follow that he was one? A friend to toleration in the kingdom, he ought to begin with granting it in his own family. The Calviniſts loudly

* March 27 1568.

declared that he was one of their ſect, but it was natural for them to endeavour to propagate that notion. It was doing honour to their religion, and giving it very great weight. The catholics univerſally believed it. *From the maſs of the Chancellor, Lord, deliver us*, had become a proverb; but ſtill it is plain, that in times of fanaticiſm his moderation would make him ſuſpected. However, this accuſation would not of itſelf, have been ſufficient entirely to ruin l'Hoſpital in the opinion of Catharine, a woman who had no religion but her intereſt, and who, when ſhe received the news of the battle of Dreux, which at firſt was thought to be loſt, had cried out, *Well! we muſt ſay our prayers in French:* the Cardinal of Lorraine therefore made uſe of a more deciſive method, ſuggeſted to him by his perfect knowledge of Catharine's primary and ruling paſſion, a thirſt of power. Charles IX. had conceived for l'Hoſpital an eſteem which even roſe to reſpect, liſtened attentively to his advice, and began to reliſh his ſyſtem. He had, one day, of himſelf earneſtly pleaded for the maintenance of the pacification, and entreated his mother, with tears in his eyes, to *put an end to intrigues which would infallibly revive the troubles*. The meaning of theſe words, which afforded matter of bitter recollection to the reſt-

leſs

leſs jealouſy of Medicis, was ſtill more envenomed by the Cardinal, who aſſured her they were dictated by the Chancellor; that he was every day gaining ground, and would ſoon have an excluſive influence over the King. This was ſufficient. Medicis looked upon l'Hoſpital as her rival, and from that moment ſecretly vowed his deſtruction.

It is an object greatly deſerving admiration, to ſee l'Hoſpital contending for ſome months againſt ſo many enemies, and ſupported ſolely by his ſuperior merit. His ſun never ſet, and he quitted his miniſtry as he entered it, with undiminiſhed ſtrength and luſtre, as we may judge by the two following anecdotes. The Pope, who had always been anxious to deſtroy the Calviniſts, ſent a bulle to the King, permitting him to alienate church lands to the amount of a hundred thouſand crowns, upon condition that the money ſhould be employed for the extirpation of hereſy; ſo that this reſource which appeared to be illegal when employed by l'Hoſpital for the recovery of Havre from the Engliſh, ſeemed lawful when Frenchman was to be armed againſt Frenchman. Here was fanaticiſm opening her treaſures and diſtributing her daggers. L'Hoſpital in council warmly oppoſed the acceptance of this ſanguinary bulle, and ſuch is the in-

fluence of virtue ſupported by eloquence, that he cauſed it to be rejected.

Some time after, a diſpute aroſe in full council between him and the Cardinal de Lorraine, as violent as that which they had formerly about the decrees of the Council of Trent; it was concerning an explanation which l'Hoſpital had given of the edict of pacification, to allow the Calviniſts when dying to be viſited, and to receive conſolation from the miniſters of their own perſuaſion. The Cardinal alledged that this interpretation was contrary to the edict of pacification, as that edict only gave leave for them to have a place in each bailiwick or lordſhip for the exerciſe of their worſhip; whereas ſuch an interpretation, by giving permiſſion to viſit the ſick, would afford them a pretence for exerciſing their religion in as many houſes as they pleaſed. "I inſiſt upon it," reſumed the Chancellor, "that it is conformable to the ſpi-"rit of the edicts."—"What edicts?" ſaid the Cardinal.---"Thoſe that have been made for "the pacification of the kingdom, and of which "you ought not to be ignorant, ſince they are "ſold publicly in the ſhops. How then would "you have the Calviniſts to act? It is a work "of humanity and compaſſion to viſit and aſſiſt "the ſick; would you prevent them when at

"the

" the point of death from being comforted by " hearing the word of God?"---" The word of " God!" replied the Cardinal, " ſay rather the " poiſon."---" So you call it, but they ſay the " ſame of your religion. If you reckon theirs " a poiſon, wherefore did you not ſilence them " by the text in the holy ſcripture which ſays " ſo, at the time you diſputed with them? This " would have been much better than to come " to acts of violence, to compel men to believe " againſt their conſciences, which have not " been found to ſucceed; but by ſo doing you " would involve us once more in diſtraction." ---" How involve you once more? It ſeems by " what you ſay, that it was I who brought on " the diſturbances formerly."----" You know " it," replied l'Hoſpital.----" If thoſe of the " new religion," ſaid the Cardinal, " are de- " ſirous of being viſited and comforted in their " ſickneſs, it muſt be by the Biſhops or by thoſe " who are ordained or deputed by them."---" If " they were to be ſubjected to the ceremonies " of Prieſts and Biſhops, that would wound their " conſciences, and to compel them would be " to kindle the flame anew."----" That is as " much as to ſay we have no need of Biſhops." ---" What ſtrange logic! They are needful for " us, but not for them; but ſuch is your vio-

" lent

"lent inveteracy againſt thoſe of the new reli-
"gion, that you cannot bear they ſhould ſerve
"God during their lives, nor hear his name
"mentioned at their deaths, in this treating
"them as if they were brutes."---"I do every
"thing in my power that there may be no reli-
"gion in the kingdom but the religion of the
"King."---"And for my part, I will endeavour
"to the end of my life to ſoften rather than to
"irritate."---The Cardinal then anſwered, "It
"is you that irritate them, you want every
"where to be the leader, and while you come
"to council I never ſhall be ſeen there."---The Chancellor concluded with ſaying, "That the
"abſence of the Cardinal would not be regret-
"ted;" upon which the council immediately broke up. This dialogue, faithfully copied from the manuſcript of Dupuy, and which is not mentioned by any hiſtorian, ſeems to us to be more intereſting than one of thoſe ſounding periods of falſe eloquence, in which the author is more anxious to diſplay himſelf, than to make the reader acquainted with his hero. The ſcene is dramatic, and we have l'Hoſpital upon the ſtage: it is, if we may uſe the expreſſion, his picture drawn by himſelf.

This was the laſt act of his miniſtry; he found that it was in vain to contend againſt a torrent

torrent of corruption and fanaticiſm. Medicis openly ſupported the Cardinal de Lorraine; the King was gained over, and no longer ſpoke to him; and all the members of the council were againſt him. They had reſolved upon a third civil war, and finding matters in this ſituation he reſolved to retire to his eſtate of Vigny, near Etampes*. But let us attend to the account which he himſelf gives of his retreat in the preamble to his will; that is to ſay, in the moment of truth and recollection, when the mind of a good man detaches itſelf from the world, and judges itſelf as it will be judged by heaven. "Seeing that my ſervices were no longer agreeable to the King or the Queen, that the King was under ſuch reſtraint that he had no longer any authority, ſince he dared not to expreſs what he felt, I thought it more expedient for me to ſubmit willingly to neceſſity and new rulers, than to contend with them to no purpoſe. Arms were become more powerful than the laws, I therefore retired to the country with my wife, my daughter and grandchildren, entreating as the laſt favour of the King and Queen at my departure, ſince they were reſolved to renew the war, that at

* June 1568.

"leaſt

"leaſt when they had for ſome time *glutted and* "*ſatiated themſelves with the blood of their ſub-* "*jects*, they would ſeize the firſt opportunity "of accommodating matters before the nation "ſhould be reduced to the laſt extremity." What muſt the courage of the miniſter have been who could venture to expreſs himſelf with ſuch energy? L'Hoſpital addreſſes Charles IX. and his mother as if they had been Cannibals, and puts us in mind of an expreſſion in Homer who calls the kings Δημοβοροι, or *devourers of the people*.

In a few days the ſeals were demanded from him, which he laid down with as much ſatisfaction as a ſlave putting off his chains. He had never uſed them againſt his conſcience without a formal proteſtation; at which time he wrote upon the back, *without my conſent*. He one day ſaid to the Queen; *There are your ſeals, ſeal your edict yourſelf; for my part, I would rather loſe my life*.

We have hitherto regarded l'Hoſpital as a miniſter and ſtateſman, rather than a legiſlator. What he has done in the laſt of theſe characters deſerves the minuteſt attention, but the bounds of this work do not leave us room, nor does our knowledge permit us to make the attempt; we ſhall therefore confine ourſelves to the examination

nation of the ſpirit of his laws, and a ſummary account of the improvement of the police and juriſprudence of the kingdom during his adminiſtration.

At the head of l'Hoſpital's works as a legiſlator, we muſt place the three famous edicts of *Orleans*, *Rouſſillon* and *Moulins*, which ſtill ſerve as general laws, and form the foundation of our codes. By the firſt of theſe the adminiſtration of juſtice was taken from the military bailiffs, and entruſted to the gentlemen of the long robe; a remarkable change which was become neceſſary, conſidering the complex ſyſtem of our juriſprudence and the ignorance of the nobility, from the date of which the ſword and the gown have formed two diſtinct employments, by which means the military power is happily counterbalanced by the civil. A great number of prudent and uſeful regulations are to be found in theſe edicts, ſuch as the reſtoration of the pragmatic ſanction with regard to benefices, an arrangement that unhappily laſted only a few years, but which certainly was greatly preferable to the concordate, as it deprived the Court of Rome of the privilege of iſſuing bulles, and freed the nation from an oppreſſive tax; divers articles relating to church government, and among the reſt one which reſtrained the abuſe of monito-

ries; fixing different juriſdictions and their limits; the reduction of entails to the ſecond degree of kindred; the making donations publicly known; the adjudication of property to collateral heirs; an obligation to make both parties ſign the minutes of deeds; an injunction to reckon the year in future from the firſt of January inſtead of Eaſter; and likewiſe a part of the arrangements which are ſtill followed in our courts.

If we caſt our eyes over the particular laws which he framed, we meet with monuments of his prudence at every ſtep. It was he, who by the edict *of ſecond marriages*, reſtrained the cruel generoſity of thoſe mothers who were led by a blind paſſion to beſtow their fortunes on ſecond huſbands. It was he, who by another edict prevented them from inheriting the whole property of their children, by limiting that right to moveables and the acquiſitions made by the father. He reformed the cuſtoms of ſeveral of the provinces, ſuch as Picardie, Maine, Anjou, Touraine and Poitou; and formed a general plan for this purpoſe intended for the whole kingdom which he had not time to complete. He made a regulation for putting in execution the decrees of arbitrators, and another for making all tranſactions between

between people come of age obligatory: Prudent laws, which prevented many diſputes. He framed ſeveral ordonnances to ſhorten and to prevent the number of law-ſuits, and he concluded that he had diſcovered a method by obliging the parties to depoſit a certain ſum, and making thoſe pay a fine *who engaged in ſuits without ſufficient foundation.* This edict appeared to the people only as a means of raiſing money; the eagerneſs of going to law was not in the leaſt abated, and in a few years the fine was ſuppreſſed; but it has been replaced ſince that time by an infinite number of others more complex, more burthenſome, and ſuch in fact, that even the gainers of ſuits have ſometimes been ruined by them. Yet nothing can check the madneſs of carrying on law-ſuits. A deſire of making new acquiſitions, and the dreams ſuggeſted by hope have a greater effect upon the generality of men, than a dread of diſtreſſed circumſtances and the preſent expence. What legiſlator will ever accompliſh the great views of l'Hoſpital? It is ſaid that gratuitous juſtice, ſo anxiouſly deſired by ſound reaſon, and claimed by the rights of the people, would make ſuits ſo frequent that the courts could not be able to decide them. From this diſtreſſing paradox, but more particularly from the fruitleſs attempt made by

l'Hoſpital, it muſt be concluded, that the treatment of national vices is very delicate and the cure very difficult. L'Hoſpital was more fortunate in his eſtabliſhment of conſular juriſdictions, a kind of commercial tribunals, where the merchant is tried by his peers, into which chicanery can find no acceſs, and which ſtill preſerve all their original purity. He likewiſe made ſeveral regulations for ſhortening criminal proceſſes, which is an object too much neglected by our courts at preſent, for it is a duty which juſtice owes to every man who ſtands accuſed, either ſpeedily to condemn or acquit him. He perfected the juriſdictions of the *prevots*, a kind of extra-judicial eſtabliſhment, which having no authority but in time of public diſorders and againſt malefactors, was not intended to diſturb the body of the people, but to be occaſionally uſeful by its ſpeedy deciſions.

Amidſt ſo many laws worthy of l'Hoſpital, we are ſorry to find edicts for the creation of offices; ſuch as a fifth chamber of inqueſts to the parliament of Paris; ſeventeen boards of the exchequer; twenty maſters of requeſts, &c. an edict ordering the creation of twelve nobles in every town and bailiwick in the kingdom, for which certain fees were to be paid; another permitting all who held venal employments to reſign

ſign in favour of people capable of diſcharging the duties, or to preſerve them for the benefit of their widows and children upon condition of paying a third of the value; an edict, which by making a branch of annual revenue to the treaſury of all vacant employments, has compleated the venal ſyſtem; an article of the edict of Rouſſillon, which gave liberty to the judges to take fees, and another to authoriſe viſiting by commiſſioners, which of courſe aſcertained the value of their employments: Actions totally oppoſite to the principles of l'Hoſpital, and which were wreſted from him by the neceſſities of the revenue, and the unfortunate ſituation of affairs. From that quibbling philoſophy in this age of pretended knowledge, which ſets up paradoxes in oppoſition to the moſt evident truths, ſome people alledge that the ſale of judges employments by rendering them almoſt hereditary, procures the advantage of perpetuating the talents, knowledge and manners of that office in a certain rank of citizens; beſides it ſecures theſe offices by the difficulty which government muſt have to reimburſe the purchaſer. This is to rejoice at the exiſtence of poiſons becauſe ſome uſeful remedies may be extracted from them. Such was the ſentiment of l'Hoſpital, who never ceaſed to lament this abuſe, even

while

while it was confirmed by his practice, as he has frequently declared in his writings.

The laws of l'Hoſpital were not confined to civil matters, but comprehended almoſt every object of adminiſtration. Nothing can better prove the great extent of the duties of his office and the influence which was added to it by his knowledge. He was the only miniſter who watched over the intereſts of the kingdom, and who ventured to ſtruggle againſt the diſorders of the ſtate in thoſe times of diſturbance and anarchy. His views extended farther, and he previouſly directed them to all thoſe objects about which ordinary miniſters never employ themſelves but during the calm of uninterrupted peace. He knew that diſorders ceaſe, but the laws remain, and when men are tired of tearing one another in pieces, they return to bleſs thoſe laws and to ſubmit to their authority. He made a general regulation for the management and preſervation of the royal domain*. There was an opinion prevailed at that time, and with reaſon, that the domains ought to be attentively preſerved without alienation, becauſe the time was approaching when they ought to be ſufficient for the ſupport of the royal digni-

* February 1566.

ty,

ty, when our kings ſhould levy none but voluntary contributions from the ſubjects, and only for the neceſſities of war. At preſent, when theſe principles of moderation are forgotten; when they may impoſe taxes and ſeize property; when the magnificence of the court is in their eyes the principal object of public expence; when theſe domains are ſquandered in grants or exchanges greatly to the diſadvantage of the ſtate; when thoſe that are ſtill free, languiſh and run to decay under a ruinous management of farmers or adminiſtrators: it would be happy if the prejudice which ſuppoſes them unalienable were forgotten, that they might be ſold under the ſanction of the nation to cancel a part of that enormous debt, under which the credit of the king and kingdom will ſooner or later be overwhelmed.

Let us return to the laws made by l'Hoſpital. He framed one for the general police of the cities and villages of the kingdom*. By this regulation the civil magiſtrates acquired a fixed and permanent authority and juriſdiction. He paid great attention to the police of Paris. Robbery, murder and every kind of exceſs which licentiouſneſs and impunity naturally produce,

* 4th February 1567.

were

were arrived at the higheſt pitch; but he reſtored peace and good order. He gave in charge to the preſidents and counſellors of the parliament the care of inſpecting the different quarters, and formed a board of the chief magiſtrates and principal inhabitants of the city to watch for its ſafety; an eſtabliſhment, which ſubſiſted with different modifications till the time of Louis XIV. They then found (for on every ſubject, from complex we riſe to ſimple ideas), that the police of a great capital depended chiefly on expedition and vigilance, which was incompatible with the tardy method of determining by a council, and enquiring into litigious ſubtleties: that the exerciſe of power was much more requiſite than a knowledge of the law, and therefore the office of *Lieutenant-General of the Police* was created. Whatever there may be in this, the foundation of the order which we ſee at preſent, was laid by l'Hoſpital; it was he who made the laws relating to the wearing of arms, which prohibited the uſe of concealed fire-arms, of ſtillettos and daggers*. It was he who cauſed *the projections of houſes and porches to be thrown down*, as the firſt ſtep for the ſafety and decoration of the capital.

* Edicts of 1565 and 1566.

To

To him we owe, the eſtabliſhment of the watch, and the preſent police of our markets. He was likewiſe attentive to commerce. He prohibited the exportation of raw wool, in order to encourage the working of it, and to ſecure the profit of the manufacture*. He cauſed a proclamation to be publiſhed under the great ſeal, by which it was forbidden to load or freight any foreign veſſel for the exportation of the commodities of the kingdom, under the penalty of confiſcation: an excellent law, framed in the ſpirit of the Engliſh navigation act, which would have created a navy to France a hundred years ſooner, if it had not been forgotten almoſt as ſoon as it was made. Thus the *ſeeds* of all thoſe noble ſchemes which were diſplayed a century after, were to be found in this profound and almoſt univerſal genius. If his were only imperfect ſketches, the reaſon is, becauſe men arrive at the truth only by degrees, and ſeem to require being ripened by application, and even by the errors of ſeveral generations. Thus Deſcartes preceded Newton; Colbert ſaw farther than l'Hoſpital; and the errors of Colbert begin to be perceived at preſent.

L'Hoſpital paid a tribute to the prejudices of the age in which he lived, by making ſevere

* 21 January 1563.

laws againſt the lending of money at intereſt*: unjuſt laws, becauſe money is a commodity, for which reaſon it ought to be free, and as the contract between borrower and lender is voluntary, there is no injury done to the firſt; but theſe laws were principally hurtful, becauſe what contributes moſt to promote what is called uſury, is the ſcarcity of money from a want of circulation, which defect is increaſed by ridiculous ſcruples about lending it on intereſt, and by the ſeverities with which lenders are threatened. It was likewiſe owing to the prejudices of the times, that he made a law for preventing the exportation of corn†; regulations with regard to proviſions, charging the magiſtrates to impoſe taxes upon them in the markets and inns‡; and prohibiting books from being printed without permiſſion. But we are little farther advanced even in theſe days, and our miniſters, while they commit the ſame faults with l'Hoſpital, do not make up for the defect by poſſeſſing the ſame merits.

L'Hoſpital likewiſe deceived himſelf in a matter of very great conſequence. He made and renewed ſumptuary laws, at ſeveral different

* Declaration of 20th January 1567. † June 1565.

‡ Edict of September 1561, and ſeveral others.

times,

times*, without reflecting that they are incompatible with the conſtitution of a great monarchy, which carries in its boſom too many ſeeds of corruption. The great employments conſequent upon its hierarchy, the favour of the ſovereign, the ſyſtems of the finances, the laws reſpecting inheritance, and all kinds of abuſes neceſſarily occaſion great inequalities of fortune; and as the wealth of one part of the people cannot increaſe but by taking from the other the neceſſaries of life, it is uſeful to have the luxury of the rich increaſe in the ſame proportion with their fortunes, in order to ſupport the indigent by continually pouring upon them the ſuperfluities.

The ſumptuary laws which were framed by Hoſpital, were not only deficient in their principle and pernicious in their conſequences, but the manner in which they were digeſted could never ſecure their being put in execution. At firſt they were conceived in too general terms, and then they were eluded upon pretence that they were not underſtood. Induſtry and refinement led to objects that were not foreſeen. For example, gold and ſilver ſtuffs

* Letters patent of 22d Ap. 1561. Declaration of 17th Jan. 1563. Order of Feb. 20, 1565. Edict of Moulins 1566. Declaration of 25th March 1567.

were prohibited, but ſilks were ſo valuable and richly wrought that they were almoſt of as high a price. New edicts were then paſſed, which entered into the moſt particular details; but then the law, by becoming too minute, loſt that character of gravity and conciſeneſs, with which it ſhould be always accompanied, and was turned into ridicule. Every means of enquiry which government wanted to employ to ſupport it, became hateful, and what is worſe, was ineffectual. The Commiſſioners of the Chatelet were empowered to enter the houſes at meal-time, to ſee that the regulations were obſerved: but the people laid ſnares for them, eat at unuſual hours, and at laſt obliged them to viſit only the houſes where poverty, not luxury, ſpread deſolation. The torrent of corruption, from the example of the court, which always thinks itſelf above the laws, and the defects of the conſtitution, which we have already mentioned, very ſoon broke through every interruption, and luxury, which had been reſtrained for a time, made the more rapid progreſs. Such has been the fate of all the ſumptuary laws paſſed in France, the laſt of which was attempted at the beginning of the reign of Louis XIV. It is evident that from that time they were for ever renounced, and the collec-

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tion of all theſe laws, only ſerves to give a hiſtory of the manners and cuſtoms of the nation, at the different periods in which they were paſſed. If l'Hoſpital drew falſe concluſions with regard to them, it proceeded from his virtue; he was animated with the ſpirit of an ancient republican, and made the works of Plato his conſtant ſtudy. Lycurgus was inceſſantly before his eyes, and the illuſions occaſioned by the examples of thoſe great men, produced theſe regulations that were too good for his government or his country: How excellent muſt that man be, whoſe very miſtakes, like thoſe of l'Hoſpital, proceeded from a principle of virtue, and were committed only with a view to the public good!

We have now given a full account of l'Hoſpital's conduct during his miniſtry; it remains then to lay before the reader ſuch of his projects as our reſearches have enabled us to diſcover. In the courſe of this work, we have ſeen how eagerly he deſired a reformation of the abuſes in the church. He wiſhed to free the nation from the yoke of the Romiſh court, or at leaſt to leave her only an authority purely ſpiritual, without annates, right of publiſhing bulles, or retributions of any kind. He propoſed to Charles IX. an edict, prohibiting any member

of

of the clerical body in France from accepting any dignity from that court, except on condition of renouncing all the benefices they poſſeſſed in France and removing to Italy. He wanted to reduce the number of religious orders and inſtitutions to four, and to oblige them to take care of the hoſpitals and colleges. Thus employed, they would really deſerve reſpect, and their wealth not be envied. All his laws were only ſcattered and unformed materials of a larger building; he deſigned to draw our juriſprudence from its chaos, and to give a compleat code of legiſlation. By his will he bequeathed all the papers relative to that ſubject, to ſuch of his grandſons as *ſhould be capable of continuing that work*. Nature ſeldom produces two great men ſucceſſively in the ſame family, as if ſhe wanted to ſhare her favours among many, or after a powerful effort ſtood in need of repoſe; and ſhe did not alter her uſual courſe in favour of l'Hoſpital. His grandchildren died almoſt unknown, his papers are not come to our hands, and the name of l'Hoſpital begun and ended with him.

When we reflect upon the confuſions and diſturbances that aroſe, and the important affairs of every kind that were tranſacted during the ſeven years of l'Hoſpital's miniſtry, it is impoſſible

poſſible to conceive how he could find time, or keep his thoughts ſufficiently at liberty to execute thoſe immenſe labours at which the imagination looks with aſtoniſhment. The reaſon is, that to miniſters of confined genius who are abſorbed and hurried away by the current tranſactions of the day, years paſs away like dreams; and this is even the caſe with thoſe of ſuperior abilities who waſte their time in pleaſures, and their ſtrength in intrigues; on the contrary, they appear long to an able and active miniſter, who from principle is a ſtranger to diſſipation, and thinks himſelf accountable to the ſtate for every moment of his time. But ſome particulars of the private life of l'Hoſpital will reſolve this problem much better than any reflexions of ours.

Malignity, ſo ſtrictly watchful over the private conduct of great men, that it may ſurprize them in ſome fault, and find conſolation for the uneaſineſs it feels at their glory; calumny, which ſtill more culpably ſubſtitutes aſſertions inſtead of facts, and often invents the moſt improbable fictions, never could or never durſt attack the domeſtic virtues of l'Hoſpital; in his family he lived with all the plainneſs of a private man. To the public ſucceeded the domeſtic duties which ſerved him as a relaxation.

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He employed himſelf in the education of his grandſons, and while in a private ſtation, had compleated that of his daughter. After the hours dedicated to buſineſs no ſtranger was admitted into his houſe. He never gave treats or entertainments. "That excellent perſonage," ſays Brantome, "who yet was the ſecond man "in the kingdom, commonly had for dinner a "diſh of boiled meat, and for ſupper one of "roaſt." He was an affectionate huſband, his conjugal love ſecured him from any other paſſion, and as for temporary amours his heart was too pure to give them admittance. He appeared at court only when called by the buſineſs of his office, and never cultivated intimacy or familiarity with any of the great lords. "Their ſociety," ſays he, in a letter to the Preſident de Thou, "would only make me "loſe my time or corrupt my heart. Beſides, "by keeping myſelf at a diſtance from them I "accuſtom them to behold me in a ſingle point "of view as the organ and guardian of the "laws." His behaviour and appearance were perfectly ſuited to the auſterity of his principles. "His large white beard, his pale looks, his "grave and majeſtic deportment," ſays Brantome, in another place, "gave him in every "thing the appearance of a Cato." Other

writers ſay that he exactly reſembled Ariſtotle, and that in the reign of Charles IX. a ſtatue of the philoſopher was dug up which ſeemed as if it had been made for l'Hoſpital. One thing certain is, that his virtue, his diſpoſition, his heart were of the *antique caſt*, and that in theſe reſpects he ſeemed a prodigy thrown by nature into a country and age to which he did not properly belong. *The morals, the morals*, was the inceſſant cry of l'Hoſpital to all orders of the people, in particular to the magiſtrates. "What "claim can you have to the eſteem of the pub-"lic," ſaid he to them, "if it be not from the "rectitude of your morals? Your life is do-"meſtic and calm,—your days are free from "peril, your honours are not dyed in blood; "but your paſſions,----theſe are the foes you "muſt combat. Abſtinence from the gratifi-"cations of luxury and pleaſures, diſintereſted-"neſs and poverty;---theſe are your ſacrifices; "theſe are your trophies. The warrior only "occaſionally expoſes himſelf to danger, and "has an opportunity of gaining laurels; your "enemies are daily at your gates, you will find "them in your hearts."

L'Hoſpital had always lived like a private man in the midſt of grandeur, therefore his retreat was no fall. It was not neceſſary for him

to adopt a new plan of life, he only continued the former; the hours formerly ſpent in public buſineſs he now devoted to ſtudy and rural employments. He called his family about him, and upon it he reſted his heart, it was all to him. Gratitude did not fill Vignay with crouds of creatures and friends; he had obliged few, and his virtue had diſobliged many. Let us hear how he expreſſes himſelf in a letter which he wrote to the king when he ſent back the ſeals*. "I have never ſo much endeavoured to "gain the name of a good natured man who "pleaſed every body, as to be ſteady, knowing "that juſtice is defined to be a firm continued "reſolution of preſerving and giving to every "man his due. I have defended the cauſe of "the afflicted againſt their oppreſſors, of the "poor againſt the rich, of the weak againſt the "ſtrong; many bear me a mortal hatred on "that account; but in the preſent degenerate "times I would willingly ſay to them in the "words of a great man of antiquity, *Ye cannot "bear me, nor I you.*"

His fortune was ſcarce ſufficient for the maintenance of his houſehold, as he informed Medicis in a letter ſoliciting an augmentation of his

* Manuſcript of Dupuy, 491.

penſion.

penſion. With what noble ſimplicity does he give the reaſons for his requeſt! "I am ſixty "five years of age, I have a wife, a daughter, "a ſon-in-law, and already nine young grand-"children; I have a train of old ſervants, whom "I cannot with honour turn off. One of the "towers of my caſtle is falling to ruin; but if "the neceſſities of the ſtate be ſuch that your "Majeſty cannot aſſiſt me, I muſt bear the diſ-"appointment with patience; at my age, it is "neither a long nor a difficult taſk." Hiſtory doth not inform us whether it was granted or not; but in the manuſcripts of Dupuy we find ſeveral letters of poſterior date, by which it appears, whether it proceeded from inclination or neceſſity, his fortune did not ſet him above entering into the minuteſt particulars of domeſtic œconomy.

One of thoſe letters is addreſſed to his daughter, who was married to Hurault de Belleſbat maſter of requeſts; and according to the cuſtom of thoſe times, when the title of *Madame* was only given to princeſſes and ladies of the firſt rank, he calls her *Mademoiſelle*. I ſhall preſent the reader with ſome extracts from it. "Daughter, I hope that your child is well, and "that time and a proper regimen will be more "effectual than the preſcriptions of phyſicians, who

" who are generally ignorant, or only aim at " their own profit. All the reſt of your chil- " dren are in health. Urge the payment of " the monies due this term of St. John, and " if in the mean time you have occaſion for the " bag which is in your ſtrong box at Vignay, " ſend the key to your mother at her return, " which will be ſoon, in order to get in her " harveſt. Put the farmer and receiver of Vaas, " in mind; but do it gently, and with diſcre- " tion. You will ſend me twenty-five or thirty " bottles of white wine, for my own drinking; " you ſhall drink what is left, becauſe it is " good. If the muleteer be not already load- " ed, ſend the books which I put by them- " ſelves. I commend myſelf to M. de Belleſ- " bat and you, with prayers for your long life. *Your affectionate father, Michel de l'Hoſpital.*

When we tranſcribe this letter, why are our eyes involuntarily bathed with tears! Why are we ſure that it will raiſe the ſame emotion in moſt part of our readers! It is owing to the irreſiſtible charm of ſimplicity united with glory: imagination immediately compares this *prattle of a plain honeſt citizen,* as Montagne calls it, with the reputation, the virtue, the eloquence, the perſonal dignity of l'Hoſpital. We ſeem to be converſing with him. We love

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to ſee that great man deſcending from his ſublime conceptions, on which depended the fate of an empire, to the ſubaltern cares of his houſehold, and by this amazing contraſt, comprehending the whole circle of human occupations. In the following letter to the Ducheſs of Savoy, he reſumes a more elevated ſtyle, and even then perhaps he is not ſo affecting. "I live here, like old Laertes, cultivating my "farm, and regretting nothing of all I have "left. I will tell you more; this retreat, which "ſatisfies my heart, is equally flattering to my "vanity. I am fond of figuring myſelf as in "the train of thoſe illuſtrious exiles of Rome "and Athens, whoſe virtue made them dreaded "by their countrymen; not that I dare to put "myſelf in the balance with them, but I ſay in "my own heart, our intentions were ſimilar, and "our fortunes are the ſame; I am ſurrounded by "a numerous and beloved family. I read, I "write, I reflect; I look with pleaſure on the "ſports of my grandchildren, and feel an intereſt "in the plaineſt employments. In a word, "I am never idle a moment, and my happineſs "would be compleat, were it not for that dread-"ful neighbourhood, which ſometimes fills my "heart with ſorrow and anguiſh."

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The neighbourhood, which he mentions with ſuch marks of horror, was the court; he thought himſelf too near it, and this thought diſturbed his repoſe. Every time he mentioned it, an indignation, which he could not conquer, gave acrimony to his expreſſions. "I am aſtoniſhed," ſays he, in a letter to the Preſident de Thou, "that I could prevail upon myſelf to "live ſo long in a country ſo barbarous, with "perſons of ſo contemptible underſtanding, "of ſuch groveling hearts, in a word, with the "dregs of mankind*." He deſigned to write the hiſtory of his own times, and collected the materials for that purpoſe. It is to be regretted that this project was not executed. France would perhaps have had her Tacitus; for he poſſeſſed the ſame energy of thought, and entertained the ſame deteſtation for tyrants.

The night of St. Bartholomew clothed the laſt year of l'Hoſpital's life with mourning. His daughter was at Paris, and had not the Ducheſs de Nemours given her an aſylum in her houſe, ſhe would have increaſed the number of victims. He had more reaſon than any man to think himſelf involved in the proſcription. Word being brought him, that a troup of

* Letters of l'Hoſpital lib. 7.

armed

armed men were ſeen advancing towards Vignay, and his vaſſals and domeſtics preparing to put themſelves in a poſture of defence: *No*, ſaid he, *God's will be done. If the wicket be too narrow to admit them, throw open the great gates.* Theſe armed men were a troop of horſe ſent for his guard, with orders to tell him, that the King took him under his protection, and pardoned the oppoſition he had always made to his deſigns. *I am not conſcious of ever having done any thing that deſerved death or pardon*, replied l'Hoſpital.

Many men have particular moments where they diſplay their courage. For this there needs only an accidental motive to animate them; but that intrepid firmneſs, which is proof againſt every thing, which impenetrably arms the ſoul at all points, which acts on important occaſions with the ſame eaſe as on the moſt trivial, which can with ſteady eye behold death in every form, though the ſword threaten, the abyſſes of the ſea open, or a tyrant command to mount the ſcaffold;---in that is diſplayed the uncommon virtue which even few heroes have poſſeſſed in its full meaſure, becauſe it proceeds neither from the head, the blood, nor the paſſions, but from an unchangeable character, and a conſcience void of reproach. With this ſublime

virtue

virtue l'Hoſpital was endowed, and from a conſciouſneſs of his ſtrength of ſoul, he took for his device Atlas ſupporting the globe, with this legend, *Impavidum ferient ruinæ**. Devices were then in general uſe. Some alluded to the ſecret thoughts of the bearer. Thus the Cardinal de Lorraine had choſen a column ſurmounted by a crown and encircled by a plant of ivy, with theſe words, *I will climb to it*. Others took theirs from their favourite virtue, or that to whoſe poſſeſſion they aſpired; and ſuch was that of l'Hoſpital. Ordinary men ſeldom dared at that time to chooſe magnificent devices; as they would have turned to their confuſion and furniſhed matter for ſatires on their memory.

L'Hoſpital did not long ſurvive the fatal day of St. Bartholomew: On the news of it he wiſhed for death, and that wiſh was ſoon fulfilled, for a few months after he expired in the arms of his family at the age of ſixty-eight, and was buried in the pariſh of Champmoteux, to which the eſtate of Vignay belongs. He had cauſed a monument to be erected for him there during his life, conſiſting only of a plain marble, with this ſtill more plain inſcription:----MICHAEL

* Beneath the cruſh of worlds undaunted he appears.
FRANCIS.

L'HOSPITAL

L'HOSPITAL EXCESSIT REBUS HUMANIS DIE 25 MARTII 1573. *Michael l'Hoſpital was freed from the troubles of this world on the 25th of March* 1573. He left behind him monuments ſufficiently illuſtrious,------his memory, and his laws.

Thus ought the tombs of all celebrated men to be plain aſylums for their aſhes, without pomp or parade, and with this ſingle inſcription, *Thou wilt be judged by future ages.* After ſeveral generations are elapſed, when intrigues, perſonalities, fiction, envy, adulation, all the paſſions of their cotemporaries, prejudices, contradictions and errors of every kind are purged away, poſterity ſhould ſit in judgement, and inſcribe its ſentence on their monuments. How different would its decrees ſometimes be from thoſe paſſed in their own age! How many high reputations would be lowered or even tarniſhed! How many others reſtored and avenged! But what an awful ceremony would it be to ſee a whole nation decreeing or confirming the title of Great to one of their countrymen, and erecting a monument worthy of his glory! Thou, O l'Hoſpital, wouldſt receive that homage! That ſtatue which the arts are preparing, and which will be inglorioufly ſequeſtered in the unfrequented gallery

of a deſart palace*, would be conſecrated with ſplendor in one of the ſquares of our capital. The king, the princes, the nobles, the magiſtrates, the whole body of the people would reckon it an honour to aſſiſt at the ceremony; that great day would at once be the feſtival of virtue and of the nation. But I ſpeak of a public triumph, forgetting that in monarchies the nation decrees neither ſtatues nor triumphs; that kings have reſerved thoſe honours, which they confer only on their anceſtors, or upon themſelves during their own life-time.

A few badges of diſtinction, ſullied with ignoble marks of ſervitude; benefactions always granted by the throne as favours, even when they are rewards; the inſipid and fleeting incenſe of a funeral oration, or academic eulogium, are the utmoſt to which in our country the higheſt virtue, the moſt uncommon genius can pretend. O glorious ſhade, at leaſt thou haſt for once gained the tribute of homage from a free and

* The ſtatue of l'Hoſpital is one of the four which the academy of ſculpture has this year cauſed to be made in honour of our great men, and which are to be placed in the gallery of the Louvre.

ſpirited

ſpirited citizen! Thou haſt not been praiſed with the tongue of eloquence, but with that which is dearer to thee, the voice of patriotiſm and of truth. I have ſhewn what l'Hoſpital was, and when I pay a viſit to his ſtatue, perhaps to this work I ſhall owe the pleaſure of ſeeing ſome real lover of his country kneeling before it with tears in his eyes.

THE END.

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